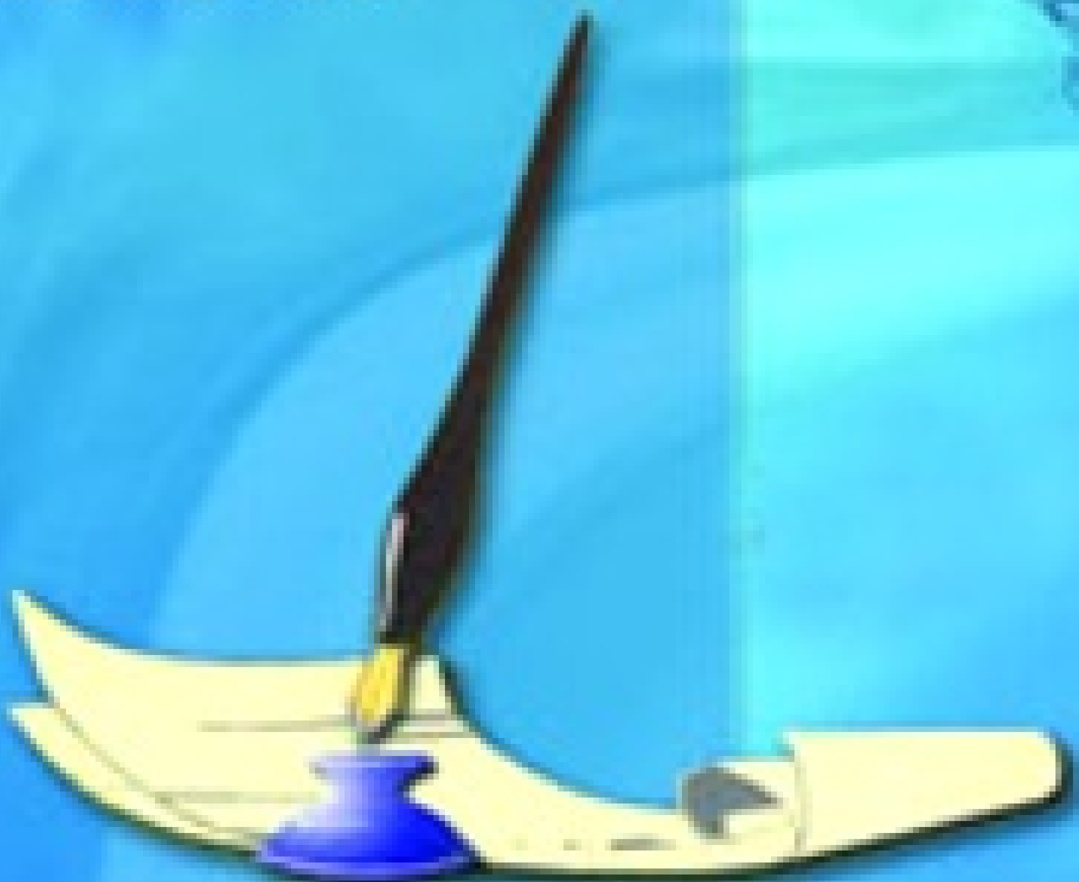
# Freedom,

## The Unstated Facts and Points

Author: Ayatullah Muhammad Taqi Misbah Yazdi

Translator: Mansoor Limba



بسم الله الرحمن الرحیم

# Freedom: The Unstated Facts and Points

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## point

In this text, Ayatullah Muhammad Taqi Misbah Yazdi explains the different kinds of freedom in great detail. He dwells on the understanding of Freedom in its different forms that exist before us today.

## Foreword

The precious legacy left behind by the Holy Prophet's Household [ahl al-bayt] (may peace be upon them all) and their followers' preservation of this legacy from the menace of extinction is a perfect example of an all-encompassing school [maktab], which embraces the different branches of the Islamic knowledge and has been able to train many of the talented personalities by quenching them with this gushing-forth fountain.

This school has presented scholars to the Muslim ummah who, by following the Holy Prophet's Household ('a),(1) have occupied the station of clarifying the doubts and skepticisms brought forth by the various creeds and intellectual currents both inside and outside the Muslim society, and throughout the past centuries, they have been the presenters of the firmest answers and solutions to these doubts.

Anchored on the responsibilities it is shouldering, the Ahl al-Bayt ('a) World Assembly has embarked upon defending the sanctity of risalah [messengership] and its authentic beliefs—truths



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۱ - The abbreviation, "'a" stands for the Arabic invocative phrase, 'alayhis-salam, 'alayhimus-salam, or 'alayhas-salam [may peace be upon him/them/her], which is used after the names of the prophets, angels, Imams from the Prophet's progeny,

[.and saints ('a). [Trans

which have always been opposed by the chiefs and leaders of the anti-Islamic sects, religions and trends. In this sacred path, the Assembly regards itself as a follower of the upright pupils of the Ahl al-Bayt's ('a) school—those who have always been ready to refute those accusations and calumnies and have tried to be always in the frontline .of this struggle on the basis of the expediencies of time and space

The experiences in this field, which have been preserved in the books of the scholars of the Ahl al-Bayt's ('a) school, are unique in their own right. It is because these experiences have been based upon knowledge ['ilm] and the pre-eminence of intellect and reasoning, and at the same time, devoid of any iota of blind prejudices as well as whims and caprices. These experiences address the experts, scholars and thinkers in such a manner that is acceptable to a healthy mind and the pure human .[natural disposition [fitrah

In a bid to assist those who are in quest of truth, the Ahl al-Bayt ('a) World Assembly has endeavored to enter the new phase of these worthy experiences within the framework of research and writing works of the contemporary Shi'ah writers or those .who, through the divine guidance, embraced this noble school

This Assembly is also engaged in the study and publication of the valuable works of the pious predecessors and outstanding Shi'ah personalities so that those who are thirsty of truth could quench their thirst from this refreshing

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fountain by listening and embracing this truth, which the Holy Prophet's Household .('a) has offered as gift to the entire world

It is hoped that the dear readers would not deprive the Ahl al-Bayt ('a) World Assembly of their valuable views and suggestions as well as constructive criticisms in .this arena

We also do invite the scholars, translators and other institutions to assist us in

.propagating the pure Muhammadan (S) Islam

We ask God, the Exalted, to accept this trivial effort and enhance it further under the auspices of His vicegerent on earth, Hadrat al-Mahdi (may Allah, the Exalted, expedite .(his glorious advent

It is appropriate here to express our utmost gratitude to Ayatullah Muhammad Taqi Misbah Yazdi, the author of this book, and to Mr. Mansoor Limba for translating it, as well as to all our honorable colleagues in accomplishing this task especially the dear .ones in the Translation Office for performing their responsibility

Cultural Affairs Department

Ahl al-Bayt ('a) World Assembly

## Preface

In the Name of Allah, the Compassionate, the Merciful

All praise is due to Allah, the Lord of the worlds

And may the benedictions of Allah be upon

Muhammad and his pure progeny

The issue of "freedom" is one of the most controversial subjects in the recent years, which has caught the attention of cultural and political figures. So many scholars have ".delivered speeches or written articles and books about "freedom

Undoubtedly, one of the most scholarly discussions of the issue of freedom is the speeches of the eminent thinker, Ayatullah

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Misbah Yazdi (may his blessings last), which were delivered in a series of talks on "the Political Theory of Islam" and "the Legal Theory of Islam" prior to the delivery of the Friday congregational prayers khutbahs [sermons] in Tehran. In his speeches with

such a rare precision, lucid expression and scholarly approach, while discussing "Freedom and Its Different Laws," His Eminence has also clarified so many doubts.

In view of the importance of this talk, the Islamic Cultural Propagation Office decided to extract subjects of the discussion regarding "freedom" from the collection of Professor Misbah's speeches, and present the same to the interested readers in a new compilation and in the form of a separate book.

Thanks to God, it was accomplished, and now the book, "Freedom: The Unstated Facts and Points" is at your disposal, dear readers. We hope the publication of this work could help those who have enthusiasm for the pure Islamic culture in understanding better the religious teachings, God willing.

Islamic Cultural Propagation Office

## The Various Meanings of Freedom

### The Importance of Understanding the Various Meanings of Freedom

#### point

These days, what has been talked about more than anything else, and has also been included in the political and legal literature of our country (Iran) and been discussed a lot, is the issue of "freedom."

For every person, the issue of freedom is interesting. One of the slogans chanted in the Islamic Revolution of Iran was also "freedom"—"Independence, freedom and Islamic Republic."

Political figures and groups in various countries, on account also of the same attractiveness that this issue has,



talk a lot about it. In our own country we can observe that these days and the past three or four years, this slogan is regularly repeated, and everyone is presenting a

particular interpretation of it. In order to make the issue clear, it is necessary for us to .deal on it a little bit more specifically and precisely, and to examine its diverse aspects

The interpretation that we usually have of “freedom” is in contrast to captivity, bondage and entanglement. Perhaps, at all times and in all societies the same conception of freedom, more or less, has been and is understood. The various terms, which exist in the different languages for this concept, approximately, are all denoting .such meanings

Every time a person hears this word (freedom) what usually first comes to his mind is that this concept is used in contrast to captivity and bondage. In principle, we comprehend opposite and contradictory concepts with the help of one another. For instance, when we want to describe light we use the concept of darkness. Similarly, in describing the concept of darkness, we discuss the concept of light. There is a famous :Arabic expression, which states

بأضدادها الأشياء تُعرف

”.Things are known by means of their respective opposites“

At any rate, in understanding contradictory concepts; in order for our mind to understand them better and easier, it usually imagines them together. The same is true for the concept of freedom. Once we want to imagine the concept of freedom, we envisage a being

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.in captivity and bondage, saying that freedom means not in such a condition

For example, we picture a bird inside the cage, a person whose hands and feet are chained, or a person who is detained and imprisoned, and we say that freedom means to be not in such a state and to have no such fetters—the bird shall be free from the cage, the hands and feet of the person shall be unfettered, or the person shall be set free from prison and allowed to go wherever he wants, and thus we say, ”.“He is free

The attractiveness of the concept of freedom for man is exactly on account of this contrast with captivity and bondage; for nobody wants to be in captivity, bondage and entanglement. Nobody wants to confine himself in a room and not allow himself to go .out. Nobody wants to enchain his own hands and feet such that they could not move

Everyone wants to freely and willfully go wherever he wants and to behave the way he likes. Without anyone teaching him so, man naturally and innately likes freedom and liberty, and abhors captivity and bondage. It can even be said that every sensible being is such that he wants freedom of action, and limitation and restriction are .against his nature

Because of this appeal that the concept of freedom has for us, anyone who would also talk about it and praise it will catch our attention, and anything over which freedom is applied



is attractive and desirable for us. At this juncture, we are most of the time negligent of ?these facts: does freedom have only one meaning

Or, are there diverse meanings for it? Is freedom, in whatever sense, concordant with the nature of man, and desirable? Does freedom have only a single type, and that is when the bird is freed from the cage? Or, are there various types of freedom, some of ?which are not only not beneficial but even destructive and harmful

As what is stated in the science of logic, one of the fallacies, which is relatively so rampant, is the fallacy of common word, i.e. a word having more than one meaning. The feature and attribute related to one meaning of the word is erroneously proved :for the other meaning. As an instance, the word “shir”(۱) can be cited. Mawlawi(۲) says

بادیه اندر است شیر دگر وان بادیه اندر است شیر یکی آن

می خورد آدم است شیر دگر وان می خورد آدم است شیر یکی آن

.[That one is shir [milk, or lion] in the badiyeh [cup, or jungle

.And the other one is shir in the badiyeh

.(That one is shir, which devours human (or, which human eats

(And the other one is shir, which devours human (or, which human drinks).(٣

The word "shir" means "milk" as well as "lion." "Badiyeh" also denotes two meanings: ".the first one is "desert" and the other is "cup" and "vessel

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In Persian language the word "shir" means various things: lion, faucet and milk. - ١ [.[Trans

It refers to Mawlawi Jalal ad-Din ar-Rumi (١٢٠٧-١٢٧٣), the greatest mystic poet in - ٢ the Persian language and founder of the Mawlawiyyah order of dervishes ("The Whirling Dervishes"). He is famous for his lyrics and for his didactic epic, Mathnawi-ye [.Ma'nawi [Spiritual Couplets]. [Trans

In the last two lines of the poem, with the absence of the Persian post-positional - ٣ word "ra"—which is common in poems—in either the word shir [milk, or lion] or insan [man], it is not clear which line means "The lion [shir], which devours human," or "The [.milk [shir], which human drinks." [Trans

In this poem of Mawlawi it is not exactly clear which one is "lion" and which one is ".“milk

Badiyeh is equally not clear which one means "desert" and which is one means ".“vessel" and "cup

Or, the word "zamin" can also be considered. Sometimes, when we say zamin, we mean a limited, small and specific part of the earth. When we say, zamin-e keshavarzi [agricultural land] or when we say, "So-and-so has bought such-and-such zamin," we mean a limited piece of the earth's surface. Yet, at other times by zamin we also mean the earth; for example, when we say, "The earth [zamin] is one of the planets in ".the solar system," or when we say, "The earth [zamin] revolves around the sun

When the earth is meant, the concept of zamin does not only refer to the surface of the earth but also encompass the atmosphere and space as well as the mines and depth of the earth. If we say, "So-and-so has bought such-and-such zamin and has also received its land title," we do not mean that he has bought the earth and registered it under his name, or if we say that the rotation of the earth causes the day-and-night phenomenon, we do not mean that the rotation of the house or .garden's track of land brings about this development

In any case, this problem regarding all words having more than one meaning exists. In using this kind of words by us or others, we should be

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.careful lest the fallacy of common word were committed

The concept of freedom is also among those concepts having diverse meanings, and is used in various senses in different sciences. Owing to this, there is the possibility of committing the fallacy of common word. Consciously or not, one could possibly issue a decree related to one meaning of freedom for another, and could even cause discord .among the proponents of freedom

Sometimes, on one hand, one would present his understanding of a subject and on the other hand, another would say, "I did not mean what you said. What I meant by the concept and meaning that I was defending was something else." In contrast, the other one will oppose his statement and say, "What you attributed to me was not ".what I meant. My point is something else

If we take a survey of the collection of articles, books and treatises related to the concept of freedom, particularly the works written in the recent years, we will find out that there is no specific and common conception of the term among the scholars and .writers

A person has described freedom in a certain manner and renders his support for it while the other does the same for another conception of freedom and criticizes the

other writer's definition of the term. It is natural that given such differences and disparities in outlook, understanding cannot be attained. In order to attain so, we must have a common definition so as to bring

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the discussion to a conclusion. That is, once we can answer this question—Is freedom concordant with Islam or not?—then that is the time for us to know the meaning of .freedom

Concerning a term having diverse meanings—since the Western writers in their writings have mentioned up to about two-hundred definitions—although so many of these definitions are closer to one another and only through the omission or commission of one and two words that they are different from one another, in some cases those definitions have also inconsistency with one another—how could it be ?judged that it is concordant with Islam or not

Similar to "freedom" is the term "democracy", which is a Western term and sometimes described also as "populism" and at other times as "the government or sovereignty of the people." Yet, a fixed and precise definition has not been presented, too. It is not clear whether democracy is a form of government and a type of social conduct. Is it related to the domain of government and political issues, sociology, or management? .There is a lot of discussion in this regard

At any rate, in order not to commit the fallacy of common word regarding the concept .of freedom, it is necessary for us to be familiar with its various meanings

#### Freedom as existential independence .۱

One of the meanings of freedom is that any being shall be totally independent, not to be under the influence or sway of another being, and no kind of dependence to other being shall be

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presumed about it. For example, if somebody would say that the universe exists by itself, stands by itself and is not dependent on God, and the Will of God has no role in the rotations and revolutions (of its components), this statement connotes that .freedom means deliverance of the universe from any sort of divine control

In this case, as one of the beings in this world, man will also have the same ruling, and it opens the way for us to say that man is free from any kind of responsibility and servitude toward any other being including God. Of course, concerning the .independence of the universe, there are two views

Some believe that there is no such thing as "God" for the universe to be dependent on "it" and be under "its" will. Some others believe that God does exist and has created the world, but after the creation of the universe, He has left it to itself and after the .creation the universe is no longer in need of God and is independent from His will

By abiding with the regulation and system that God has set for it, it spontaneously continues the rotations and revolutions of its components. According to them, creation of the universe is like constructing a building. Once the constructor built the building, its survival no longer depends on his existence. It is in fact independent from his existence. It is even possible that the constructor would die, but the building would remain

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.for tens and hundreds of years

In the imagination of some, the world is also like that. God created it and thereafter left it to itself. This view denies the "cosmic Lordship" [rububiyyat-e takwini] of God while the first view denies the principle of God's existence. Both the two views are .incompatible with the monotheistic viewpoint of Islam

#### "Freedom as "free will .۲

The other meaning of freedom, which is also related to the domains of theology, philosophy, scholasticism ['ilm al-kalam], and philosophical psychology, is the freedom

in contradistinction to “predetermination.” Since time immemorial, this discussion has existed among the thinkers and scholars: Is man really free in his action and has freewill, or is it that he is only imagining that he is free and the truth is that he is under compulsion and has no will of his own?!

The issue of predetermination [jabr] and freewill [ikhtiyar] is one of the oldest discussions, which exists in the philosophical discussions of all peoples and nations. After the coming of Islam or from the very advent of Islam, because of the Muslims’ contact with other peoples and cultures, or due to the intellectual sediments they had in their minds from the culture of pre-Islamic thought and heresy, this issue was intensely discussed among Muslims.

The fatalistic tendencies, meanwhile, gained much currency, and they would even cite Qur’anic verses in proving the predetermined state of man. Among the Islamic schools of thought, Asha‘irah (Ash‘arism), which is among the scholastic schools of the Ahl as-Sunnah, upholds the theory of

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predetermination.(۱) Of course, it is not as extreme and passionate as others.

In any case, this question is posed: In terms of action, does man really have freewill and is free such that he could decide and do whatever he likes? Or, are there elements in the offing, which compel man to do a certain action and even to accept a particular idea and thought, and that freewill is just an illusion?

The proponents of predetermination believe that the different social, natural and supra-natural elements compel us to act and even think and decide in a certain way. According to them, as what Mawlawi cites as an example,

این که گویی این کنم یا آن کنم خود دلیل اختیار است ای صنم

That you said I have to do this or that

Is itself a basis of freewill, O master!

Speeches are nothing but illusion and imagination, and are incompatible with the .reality; man has no freewill of his own and is under the influence of various elements

This matter is also discussed in the philosophical psychology: Is man a being who, in terms of personality and mental frame, has the power of decision-making, or not? In scholasticism and theology this is also discussed: As the servants of God, are human ?beings under compulsion, or autonomous and free

According to our view and that of the majority of Muslims, this belief in the domain of (personal) opinion and outlook is rejected, although in the domain of action and deed all people know



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For information on Asha'irah and other scholastic schools in Islam, see Murtada - ١ Mutahhari, "An Introduction to 'Ilm al-Kalam," trans. 'Ali Quli Qara'i, At-Tawhid Journal vol. ٢, no. ٢ (Rabi' ath-Thani ١۴٠۵ AH-January ١٩٨۵), available online at http://www.al-[.islam.org/at-tawhid/kalam.htm [٨]. [Trans

that they have freedom and freewill. If mere predetermination rules over man, there is no more point of having moral and educational systems as well as government .organs

In the domain of ethics and educational system, if man is compelled to do a good or bad action, having no choice of his own, with respect to the good deed he must not be praised, lauded and be given reward. Equally, if he were compelled, he must not be .punished and reprimanded for an evil deed

If the child were compelled in his action, there is no more point of training him, and for controlling his action educational systems must be abandoned. In case both the teacher and trainer, and the child and pupil were under compulsion in their actions, the trainer could not advise the child to perform a certain activity and to avoid a certain undertaking. In the same manner, in the domain of legal, political and economic issues, all those regulations and recommendations that have been made

.are pieces of evidence that man is indeed free and autonomous

When man is autonomous to perform a certain action or abandon the same, they will admonish him to perform or abandon a certain act. If he were under compulsion, having no choice and freewill on his action, then there is no point of admonishing or .giving order to him

This freedom and freewill in which we do believe is a creational [takwini] affair whose opposite is predetermination [jabr]. It has been

p: ۱۴

endowed by God to man, is among the peculiarities of man and the criterion of his .superiority over all creatures

Among the creatures that we know, it is only man that has the power to choose and select, notwithstanding his diverse, and at times, contradictory inclinations. In responding to the call of his desires—whether they are bestial desires, or divine and sublime aspirations—he is totally free and autonomous. Undoubtedly, God, the Exalted, has bestowed this divine blessing to man so that out of his freewill he could .select the right path or the wrong path

All the advantages that man has over other creatures including the angels are under the auspices of having the power to choose and select. If he would make use of this power in the right path and choose the divine wishes while putting aside the bestial desires, he will reach an exalted station wherein the angels will feel humble before him. Of course, man's possession of this freedom is a creational issue. Approximately, nowadays, nobody denies it and regard himself as totally under compulsion, having :no freewill of his own. The Qur'an naturally gives emphasis on this issue

وَقُلِ الْحَقُّ مِنْ رَبِّكُمْ ۖ فَمَنْ شَاءَ فَلْيُؤْمِنْ وَمَنْ شَاءَ فَلْيَكْفُرْ...

Say: (It is) the truth from the Lord of you (all). Then whosoever will, let him believe,“ (and whosoever will, let him disbelieve.”(۱

إِنَّا هَدَيْنَاهُ السَّبِيلَ إِمَّا شَاكِرًا وَإِمَّا كَفُورًا

(Lo! We have shown him the way, whether he be grateful or disbelieving."(۲"

Hundreds of verses, nay it can be



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.Surah al-Kahf ۱۸:۲۹ -۱

.Surah al-Insan (or, ad-Dahr) ۷۶:۳ -۲

said, the entire Qur'an, highlight the autonomy of man because the Qur'an is meant for the guidance of man. If man were under compulsion, his being guided was a predestined matter and so with his being misguided, and there was no place for .guidance by choice

In this manner, the Qur'an will become useless and futile. It is clear that the second meaning of freedom is different from the first one that we mentioned. Of course, they are common in indicating objective realities and so to speak, the "beings" and "not-".beings." None of the two meanings falls in the domain of "must" and "must-not

If man had been really created to be under compulsion, it can no longer be said: "He must be free." On the contrary, if man had been created as autonomous, it cannot also be said: "He must be compelled." In these two meanings of freedom, one cannot .speak of "mandatory" and "moral" orders

If in the parlance of philosophy it is proved that man is created to be under compulsion, the slogan of the freedom of man can no longer be chanted. If man is by creation under compulsion, whether we like it or not, the freedom of man will be an impossible and absurd affair. The domain of "being and not-being" is different from ".that of "must and must-not

Therefore, if someone applied "freedom" with its creational meaning and then arrived at the "must and must-not", he is committing that fallacy of common word, which we

pointed out before. If we proved that man by creation is free, one cannot arrive at the legal and moral freedom, and say: "So, he must be free," or "It is good" for him to be free." To discover and prove an external reality is one thing, and to talk about "good and bad" and "must and must-not" is another. One must not mix the two together, .however

### "Freedom as "the lack of attachment .۳

The third meaning of freedom is a concept, which is often used in ethics and :mysticism. In this famous poem of Hafiz,(۱) he has pointed to it

است آزاد تعلق‌پذیرد رنگ هرچه ز کبود چرخ زیر که آنم همت غلام

I am the servant of anyone who under the sky

.Is free from every color of attachments

In this sense, freedom is the opposite of "belongingness" and "attachment." That is, sometimes the heart of man is attached and fond of some things, and at other times it .has no attachment to anything; it is free from any form of belongingness

Of course, what is meritorious is that man should have no affection to the world, material things, and worldly and non-divine pleasures, and not that he should have no love and affection to anything or anybody including God, the Prophet (S),(۲) awliya' .[saints], and the like

One more precise and mystical meaning of "the lack of attachment" is that the man in the sublime station of monotheism reaches a point where his love belongs to anything or anybody except the Divine Sacred Essence. In this



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It refers to Khwajah Shamsuddin Muhammad Hafiz Shirazi (ca. ۱۳۲۵-۱۳۹۱), the - ۱ fourteenth century Persian lyric bard and panegyrist, and commonly considered as

[.the preeminent master of the ghazal form. [Trans

۲- The abbreviation, "S", stands for the Arabic invocative phrase, sallallahu 'alayhi wa alihi wa sallam [may God's salutation and peace be upon him and his progeny], which [.is used after the name of the Holy Prophet Muhammad (S). [Trans

state, even if he would love a person or thing, it is under the auspices, and because, of love of God, which is under the aegis of the Divine Beauty. In the perspective of the Islamic sciences, one of the highest stages of human perfection is love and affection :to God

وَالَّذِيْنَ آمَنُوا أَشَدُّ حُبّاً لِلّهِ

"Those who believe are stauncher in their love for Allah."(۱)

:In the Du'a Kumayl(۲) we read

وَقَلْبِی بِحُبِّکَ مُتَيَّماً

"(O Lord! Make) my heart enthralled by Your love!"

Similarly, this subject is also present in numerous supplications and traditions, and the highest station of man is that the love of God encompassed his entire being from head to foot and his whole heart is enthralled with His love such that not a single speck of .love to other than God is ever present there

This meaning is another conception of freedom; freedom means "emancipation" and lack of attachment to anything and anybody other than God. It is again obvious that this meaning is totally different from the first two meanings mentioned earlier. The two meanings are related to the domains of realities and "beings and not-beings" while this meaning is related to the domain of values and "must and must not." Here, we are saying that it is "good" for man to be free from affection to other than God, and if he wants to acquire more perfection, he "must" be free and liberated from love .to other than God

If we apply this meaning to freedom, then

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.Surah al-Baqarah ٢:١۶۵ -١

Du'a Kumayl [Supplication of Kumayl]: The supplication taught by Imam 'Ali ('a) to -٢ one of his loyal companions and staunch supporters of Islam, Kumayl ibn Ziyad. Usually offered on every night preceding Friday [Laylat'ul-Jum'ah] individually or in congregation after Isha' prayers, this supplication envisages divine teachings and solid foundations of religion in order to enable everyone to follow the right path for becoming a worthy Muslim. The Arabic text, English translation and commentary of this famous supplication are available online at http://www.al-islam.org/kumayl [٩]. [.[Trans

absolute freedom is not desirable. That is, that man should be free from love and affection to anything and anybody other than God, the Exalted, is against moral .values

There is also an opportunity here to commit error and fallacy. Anyone would deceptively talk about freedom in this sense that man must not be under captivity and bondage, and then say that man must thus not be fettered even by the love of God and that he must emancipate himself and be totally free. To emphasize his point, he :would recite the same poem of Hafiz

است آزاد تعلق‌پذیرد رنگ هرچه ز کبود چرخ زیر که آنم همت غلام

I am the servant of anyone who under the sky

.Is free from every color of attachments

This is while it is an obvious and deceptive fallacy. When did Hafiz wanted to say that "I am the servant of the aspiration of him who, to the extent of being insensible and cold-hearted, nurtures nobody's love in his heart"? Hafiz negates affection and .attachment to other than God

His point is the negation of affection to materiality and worldliness, and that man

should give his affection to a thing, which is worthy of such an affection, as well as to somebody who is the embodiment of all goodness, and whatever beauty and perfection existing in the world are all reflections of His Beauty. This is yet another .meaning of freedom, which is often applied in ethics and mysticism

### "Freedom vis–à–vis "slavery .۴

The fourth

p: ۱۹

meaning of freedom is a social subject and that is freedom vis-à-vis "slavery." In the past it was such that some human beings used to take other human beings as slaves, forcing them to work, buying and selling them. Some were also free and were slaves to no one. This meaning of freedom is also totally different from the three meanings .mentioned earlier, having its own particular ruling features

There are also numerous meanings of freedom apart from these four, which we will presently refrain from mentioning. We will instead tackle a meaning of freedom which is related to law and politics, and is the focus of our attention for the present .discussion

The purpose of mentioning these meanings of freedom is for us to pay attention to the fact that freedom has numerous meanings, each having its own particular ruling features, and the ruling features and effects of one meaning must not be erroneously .applied to the other meanings

### Freedom in the legal and political parlance: mastery over one's destiny .۵

One current meaning of freedom advanced in law and politics is freedom in the sense of "mastery over one's destiny." In this meaning, man is free in the sense that he is not subject to the sovereignty of others and he is the one determining the mode, nature and way of his own life. Naturally, on the contrary, a person who is under the domination of others, receiving orders from the latter to do or not to do something, .and cannot act the way he likes, is not free

,Thus



freedom in the legal and political parlance of the contemporary world means the negation of the right of others to have sovereignty over man, even if they happened to be God, the Prophet, the Commander of the Faithful,(١) and the Imam of the (Time(٢) ('a).(٣

In this perspective, only man and his sovereignty right are genuine. If man himself willfully delegated this genuine right of him to God, the Prophet or others, they will acquire the same right; otherwise, they do not have the right. In sum, "man is free" means that no one and no being has the right to trample on the right of man to have .mastery over his destiny and to designate duties for his life and actions

In interfering on the affairs and lives of people, the jurist-guardian [wali al-faqih], infallible Imams ('a) and the Prophet (S), who have their own particular stations, and even God Himself have to wait for their approval otherwise they have no right to issue decree and order to the people, and even if they did so, it has no value, and the people .are not obliged to accept their enjoinment and prohibition

We will examine this meaning of freedom in the future discussions. We will clearly .explain the viewpoint of Islam on this issue

## Freedom from the Viewpoint of Islam

### The Need for the Restraining Law

From the viewpoint of Islam, man is a locomotive being; in other words, a traveler who is moving from his point of origin to a certain destination, which is his ultimate perfection and



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١ - The Commander of the Faithful: 'Ali ibn Abi Talib, cousin and son-in-law of the Prophet, and first of the Twelve Imams after the Prophet. He exercised rule from

۳۵/۶۵۶ until his martyrdom in ۴۰/۶۶۱. See Yousuf N. Lalljee, 'Ali the Magnificent (Qum: Ansariyan Publications, ۱۹۸۷); Muhammad Jawad Chirri, The Brother of the Prophet Mohammad (Imam 'Ali), (Qum: Ansariyan Publications, ۲۰۰۰); George Jordaq, The Voice of Human Justice, trans. M. Fazal Haq (Qum: Ansariyan Publications, ۱۹۹۰). [.[Trans

It refers to Imam Muhammad ibn Hasan al-Mahdi, the Twelfth and Last Imam from -۲ the Prophet's Holy Progeny who is presently in the state of major occultation and will appear on the appointed time in the future to fill the world with truth, justice and faith after being engulfed by falsehood, injustice and unbelief. For further information on the Islamic belief on the Mahdi, see Ayatullah Ibrahim Amini, Imam Mahdi: Just Leader of Humanity, http://www.al-islam.org/mahdi/nontl/index.htm; [۱۰] Ayatullah Sayyid Muhammad Baqir as-Sadr and Ayatullah Murtada Mutahhari, Awaited Savior, [.http://www.al-islam.org/awaited/index.htm [۱۱]. [Trans

The abbreviation, "'a" stands for the Arabic invocative phrase, 'alayhis-salam, - ۳ 'alayhimus-salam, or 'alayhas-salam [may peace be upon him/them/her], which is used after the names of the prophets, angels, Imams from the Prophet's progeny, [.and saints ('a). [Trans

bliss. The span and extent of life is like a route, which must be treaded in order to reach the destination. Let me cite an example so that the readers could understand better the subject. Let us assume that a driver wants to move from a city, let's say .Tehran, toward Mashhad

If the hands and feet of this driver are paralyzed, naturally he cannot drive. He can only drive if his body limbs are sound, having the free power to choose and select. Otherwise, he cannot tread such a path leading toward perfection. Therefore, God, the Exalted, has endowed man with freewill and the power to choose so as to tread this path with the feet of his own "choice and volition" and arrive at the destination. .Otherwise, he will not arrive at the destination

As such, if one would think that in a state of compulsion he could tread this path of perfection and arrive at the destination, he is wrong. Man must be free and have the .power to choose so as to tread this path

The more man is free in his choice, his deed becomes more valuable. For the driver to merely have a sound physique is not a guarantee that he would arrive at his destination. It is because possibly, out of recalcitrance, whim and caprice, he would choose a wrong way, and without being under compulsion he would turn the steering-wheel by his hands, push the accelerator pedal by his feet, and fall on a



.canyon

So, to have choice and volition alone is not enough for man to attain bliss. Instead, it is a necessary requisite to have the comprehensive cause. In other words, the sufficient requisite for the attainment of bliss is that man should pay attention to the road signs and properly observe the driving rules and regulations in order to arrive at the .destination

One who would say that he is a powerful being having volition, and he wants to move in violation of driving rules and regulations, and that no one also should put a stop to .his move, should be aware that his path will end in falling to the abyss of canyon

So, apart from the fact that man should have a sound physical constitution, he should also know the route and observe the rules. Driving rules can be divided into two: the first group is the set of rules, which if not observed, will cause harm to the driver .himself

For example, if he deviates from the highway, he would possibly fall into a canyon or fall from the bridge—harms for the driver himself and his vehicle. In order to evade those dangers, warning signs will be posted such as "Dangerous curve," "Move from right," "Drive slowly," etc. so that the driver would not drive in violation of the driving .rules and be cautious to remain safe

Yet, in the second set, violation of the traffic and driving rules will not only endanger the life of the driver

but also endanger the lives of others and give rise to accidents, which sometimes .endanger the lives of hundreds of people

It can sometimes be seen in some expressways and highways, especially in some countries where high speed is allowed, that violations of rules are responsible for the hundreds of cars to hit one another, and as a result, putting in danger many lives of people. It is sometimes written in the newspapers that, for example, in an accident in .Germany ۱۵۰ cars bumped one another

Naturally, in such happenings it will not suffice to give warning and advice to observe precaution; in fact, they would also post traffic lights and more powerful warning signs; they would assign surveillance cams, automatic cameras, and occasionally, .policemen in order to pursue, fine and punish the offending drivers

Violation in the first case would lead to the deviation of the vehicle from the highway, its turning upside down and breaking of the driver's hands and feet. In this way, they will no longer fine the driver because he has harmed himself. But in the second case, the violations would endanger the lives of others, and it is on this account that the .police will pursue the violator and penalize him

### The Difference between Moral and Legal Laws

In the course of the life of man, there are two kinds of dangers. The first kind refers to the dangers related only to ourselves. If we do not abide by the laws and regulations, ,we have brought harm to ourselves. In reality



the harm and loss of non-abidance with the regulations are individual and personal. In these events, decrees are enacted and following which is emphasized, which are .technically moral laws and they are called as such

If a person would not pray or, God forbid, would commit other sin in privacy in such a manner that no one would be aware of it, this person has harmed and wreaked himself. Nobody will pursue him and ask why he has committed such a sin in privacy.

Nobody is even permitted to investigate it because spying on actions done in privacy .by individuals is unlawful. For, this issue is a personal one

Although there are moral admonitions, decreeing that even in privacy man shall not commit sin and think of committing one, these admonitions are like the warning signs posted along the roads. It is similar to the admonition to drive slowly, which in case of its non-observance and deviation from right to left, or to have high speed, man has .brought harm to himself, and the police will no more look after him

Nevertheless, the second kind of danger is not related only to the person himself. In case of non-observance of the rules and regulations, which are technically called legal laws, both the person in question and the society will be harmed. As such, these laws have the assurance to be executed, and violation of which shall be dealt with .accordingly

These are similar to the driving offenses that will bring

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about accidents for others and endanger their lives. It is on this account that the police will pursue and penalize the offender. It is here that legal laws, including penal and criminal laws, are brought up vis-à-vis moral laws. That is, this domain is concerned with the field of law and laws enacted by the legislative organs and .enactment of which is guaranteed by the government

Thus, the basic difference of the moral rules with the legal rules is that in the moral rules, nobody is the guarantor of their execution such that anyone who violates them will be penalized. If someone is being pursued, it is not a violation from the moral perspective, but from its legal perspective it is, which is related to the laws and the government, the guarantor of its execution. And if "privacy" would be advanced, it is .legal in its general sense, otherwise it is penal and criminal

In any case, just as a driver must be careful of his life as well as that of the passengers and to keep them from danger, man is like a traveler who moves from a

starting point and will face many dangers along the way leading to the destination. These dangers are sometimes related to himself and have individual rules for which there are moral admonitions. Yet, wherever there are possible dangers to be posed on others, or somehow morally corrupt others, or encroach on their lives, properties and chastity, it falls under the legal (in



contrast to moral) laws, which the government has to execute.

If with regard to the driving rules we mentioned, a boastful driver would say, "I am free and I want to act in violation of the rules," and its consequences will harm him only, they will merely advise him to be careful and cautious otherwise his life will be endangered, but if the lives of others are also threatened, they will prevent him. The police will chase him. Through the use of different devises such as radar, electronic cams, automatic cameras, and others, they will pursue and punish him. Here, nobody will say that the police's pursuit is against the freedom of man.

All people and all rational individual in the world acknowledge that if a certain act of individual poses a threat to others, there must be a law to curtail the freedom of violator because that freedom is not legitimate and legal. The intellect does not accept this freedom as it poses a threat to other people.

All rational people accept this subject and we do not know of any 'rational' person who, out of knowledge and awareness, would say that man should be free in life such that he could do whatever he likes no matter what harm it entails for himself as well as for the lives, properties and chastity of others; nobody confirms and approves this statement. Thus, wherever there must be a law, and the society must accept that law and be acknowledged by



the individuals, there is no dispute.

## The Divine and Atheistic Cultures and the Difference of Their Perspectives on Law

It became clear that there is no dispute on the indispensability of having law. The disputes commences on this question: To what extent that this law that limits and regulates freedoms, and say, “Keep right,” or “Drive slowly,” has the right to limit the ?freedom of man

Everyone accepts that if the life and property of others are violated and if the action of man poses a danger to the lives of others, the law must restrain his action, and not !allow anyone, for example, to point a gun to somebody else and kill him

Now, after acknowledging the fact that the law has the right to limit freedoms that are harmful for others, this question is raised: Does the legislator limit the freedom of man only if it poses harmful to the material interests of others and brings material losses to him, or in lawmaking the religious, spiritual and otherworldly interests of human ?beings have to be taken into account as well

The bone of contention lies on this discussion. We can classify cultures into two: One is the divine cultures, a lucid example of which is the Islamic culture, which is the focus .of our attention

We believe that the divine culture is not peculiar to the religion of Islam. It has rather included the other heavenly religions as well, though there have been distortions and .deviations therein

Contrast to this culture is another culture under the name, “atheistic or non-divine culture,” the



symbol of which today is the Western world. It must be kept in mind that what we mean is not the geographical west; rather, what we mean is what we called as the .Western culture, which is prevalent in Europe and America

The states in that part of the world are promoting this culture and are at the threshold of spreading this culture to other countries. So, for clarity sake, let us present two classifications of culture. One is the divine culture while the other is the Western

(atheistic) culture. These two cultures have some fundamental differences with each other, with which we will deal.

## The Three Pillars of the Western Culture

It can be said that the Western culture has been consisted of three pillars. Of course, there are other parts and elements, but its most fundamental parts are three. Its first pillar is "humanism." That is to say, for man to have a life full of comfort, happiness and ease is valid and nothing else for him has validity.

The word "humanism" is brought up in contrast to inclination to God and religion. Of course, they have also propounded other meanings for it but they are not our concern. Its famous meaning is "anthropocentrism." That is, man has to think of himself, his pleasure, enjoyment and comfort, but that there is a god or an angel is not our concern. This trend is the opposite of the one prevalent before, during the Middle Ages in Europe and before that in the Eastern countries in which the

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main attention has been focused on God and spiritualities.

The proponents of this view say that we have to abandon this subject (extreme attention to the celestial affairs at the expense of the mundane affairs). We are already tired of the medieval subject matters. Instead of the discussions of the Medieval Church, we want to return to the core of humanity, and no more discuss anything beyond man and nature, especially God. Of course, it is not necessary for us to deny them, but we have no business with them. The criterion is man.

Inclination toward humanism in Europe and in the latter part of the Middle Ages through the renowned writers and literary men of the time, such as Dante(١) of Italy, was brought up. In reality, it was a return to the pre-Christian era.

As we know, Christianity was born in the East, in Palestine in particular. Prior to the coming of Christianity in Europe, the European societies were idol-worshipers. The most important empire at the time was the Roman Empire consisting of the

.(Byzantium (present-day Turkey) and the Western Roman Empire (Italy

With the exception of the Jews, these people were all idol-worshipers. After the coming of Christianity in Rome, elements of idol-worship were adopted and the European society accepted such a form of Christianity. An example of distortions in Christianity is the Doctrine of Trinity and then erecting of statues of Hadrat Maryam ,(Saint Mary) and that of the angels in the churches. As a result



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It refers to Dante Alighieri (۱۲۶۵-۱۳۲۱), the Italian poet and writer well known for his -۱ [.epic poem La Divina Commedia (The Divine Comedy). [Trans

.these churches are very similar to those idol-temples of the past

Thus, Christianity in the Western world is a distorted form of Christianity which replaced polytheism; and in reality the government there was a worldly government devoid of spiritual values, established there in Europe in the name of Christianity, under the name of the divine rule, and for the sake of the heavenly and celestial .mission

Under the guise of Christianity and with 'celestial' and 'heavenly' slogans, they committed so many heinous crimes, until such time gradually the people were suffocated by these injustices and crimes, and eventually returned to the life prior to .Christianity

The humanist thought, in truth, emanates from the return to man in place of God, the return to the earth in lieu of the heaven, and the return to worldly life in replacement .of the otherworldly life

This is the kernel of the humanist thought, which states that we have to replace God with man. With the spread of the prevalent literatures of the time and through the efforts of the pioneering humanist writers such as Dante, the famous Italian poet and author, this trend gradually gained currency in all Western countries, propounded as a

pivot with a wide array of dimensions and angles. Therefore, humanism is the mother .of all other trends, which collectively constitute the Western culture

This principle is contrary to the divine culture, which states that the pivot is Allah and that all our thoughts must revolve around the axis of the concept of

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.God. All our attentions must be directed toward Him

We must seek our prosperity and perfection through proximity and union with Him, for He is the fountainhead of all beauties, felicities, nobilities, and perfections. Hence, Allah is the axis. If we are really particular of putting ism with it, we say that this trend .is "Allah-ism." That is, attention to Allah in opposition to attention to man

This is the first basic point of departure and clash between the divine culture and the Western atheistic culture. (Of course, there is also an exception in the West as there are also more or less divine and spiritual trends there. Thus, my point is the dominant (.trend, which today is called the Western culture

The second pillar of the Western culture is "secularism." After the Westerners made man as the axis, if there were any person who wanted a religious inclination, he was like someone who wanted to be a poet or painter, and as such, he would not be confronted. Just as some accept a particular school of painting and sculpture, some also want to be Muslims or Christians, and there is no hindrance along their way, for .what man wants must be respected

They say that those who, at the margin of their life, want to choose a religion are like those who choose a kind of literature, poem and art, and their choice must be respected. But these individuals must be aware that religion has no relation whatsoever to the

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basic issues of life and must not become the basic core of life. Just as poems and

.literature have their own particular status, religion also has its own

Let us assume that some individuals have their own arts, open a gallery and display their painting works. We will also respect them, but this show of respect does not mean that painting is the nexus of politics, economics and international issues. So, .painting is a marginal issue. Their opinion is that religion has also the same status

If there are those who want to worship God, go to the house of worship, and like a poet who recites a poem, supplicates to his God, it is none of our business. But we are concerned with which law is supposed to rule over the society; what kind of a system is the economic and political one. Religion is not allowed to interfere in this domain. The locus of religion is the mosque, church and idol-temple. The serious issues of life .are related to science, and religion must not interfere in the issues of life

This trend and mindset in general is called secularism. That is, the segregation of religion and the issues of life, or worldliness and so to speak, "thinking of this world" instead of "thinking of the heaven," which is inculcated in religion. They say that we have to dismiss these statements that celestial angels are descending on the Prophet (S) or that in the hereafter man will be admitted to

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.the kingdom of heaven and the like, and to think as earthlings

Accordingly, you have to talk about food, clothing, art, dance, music, and similar things that are beneficial to life and have no relation with the domain of religion. The fact is that the fundamental affairs of the life of man, particularly politics, economy and law, are related to science, and religion is not supposed to interfere in them. This is the .second pillar of the Western culture

The third pillar is "liberalism." That is, nobility lies on man. Man must be totally free, and there must be no restrictions and limitations on the life of man, unless they are .necessary

One must try to minimize as much as possible the limitations, and reduce the values.

It is true that each person and each society has his or its own set of values, but they .must not be treated as absolute

Everyone is free to be faithful to a set of individual and collective ceremonies and customs, but he must not allow a certain manner to be regarded as a social value and let it interfere in politics, economy and law. Man is free to conduct any transaction he .wants and to produce anything he wants

He can use any kind of labor in any manner, and as much as possible he must be free in economy. There must be no restriction in choosing profitable transaction whether it involves usury or not. As much as possible, the worker must



be given work and the length of time of his work must not be fixed so that the .capitalist could earn more profit and income

Concerning the labor wage, they say that the lower its level is, the better. Accordingly, .fairness, compassion and justice are essentially discordant with liberalism

The liberal man must think of advancing his economic interests. Of course, expediencies demand that sometimes law must be observed so as to avoid chaos and disorder. But the crux of the matter is that man must behave the way he likes. He is also free in choosing his mode of dressing, and should he wish he could even be nude, .and there is no problem for that. No one should restrain him

Of course, sometimes the particular social conditions impose restraint on the individuals such that if they want to be totally nude, the people will revile and vilify, and cannot tolerate them. This is a different story, otherwise no law is supposed to impose limit on man on how he would dress himself, whether his attire is short or long, .limited or not, and whether the man or woman is stripped or not

Based on liberalism, man must be free, and the relationship between man and woman must be free as much as possible. Only in case that in the society extreme conditions emerged that would end up in tumult that freedom must be checked to some extent.

This is the bound and ultimate point of freedom. Yet, unless

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it reached the limit, the man and woman are free to have relationship in whatever manner they like, whenever and however they please. It is the same case on the political issues, so on and so forth.

The principle is that no condition or circumstance must limit man, unless it is necessary. This is the basis of liberalism, and as we have said the three pillars of humanism, secularism and liberalism constitute the triple edifices of the Western culture, which play a vital role in the lawmaking.

### The Fundamental Clash between the Western Culture and Islamic Culture

In comparing the Western culture with the Islamic culture, the first issue is humanism whose opposite is the supremacy of God. Those who believe in this view, just as the Muslims believe in God, do not consider the legislation. They are only thinking of their economic interests, welfare, comfort, and pleasures.

Of course, among the Western schools there are also more or less disputes such as, for example, whether pleasures and interests are individualist or collective. However, all these schools have one thing in common and that is, as much as possible conditions and limitations must be reduced. In opposition to this atheistic thinking is the mindset of the divine school and Islamic culture, which state: Nobility does not lie on man; rather, God is the supreme.

It is He Who is the genesis of all values, beauties, felicities, and perfections. He is the Absolute Truth. He has the highest right on human beings, and we have to behave in such a way

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that we establish link with Him.

God cannot be overlooked in life, or else man will forfeit his humanness. The essence

of humanness lies on worship of God. Man is innately inclined toward Allah. Once we overlooked this inclination, we have remove man from his humanness. In any case, the main axis in the ideas, thoughts and values is only God, whose opposite is .anthropomorphism

The second issue is secularism whose opposite is the supremacy of religion. The most expedient and important affair for a faithful person is the choice of religion. Prior to thinking about his daily bread, he has to investigate first whether the religion he is professing is the truth or not, whether his religion is authentic or not. Is belief in One God correct or not? Is it better to remember God or to deny Him? Which is correct, to ?believe in One God, or in Trinitarian God and many deities

Thus, on the very day that man reaches the age of responsibility, he has to determine whether or not he believes in God, the revelation and the Day of Resurrection. Is the Qur'an the true word of God or not? Prior to choosing occupation, spouse and field of study, he has to choose his religion first because religion is related to all aspects of life. Thus, the second pillar of the divine culture is religion-centeredness, which is the opposite of secularism that regards religion as a marginal affair in life, stating that religion is not

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supposed to interfere in the main issues and not to be propounded as the most .essential issue encompassing all facets of life

Islam states that no subject is outside the ambit of religious values, and the lawful and unlawful of religion. Religion determines the lawfulness or unlawfulness of every .thing. This trend is the opposite of secularism

The third issue is liberalism; that is, the supremacy of freedom, lack of restrictions, and capriciousness. Liberalism means the preeminence of desire; since for the aforementioned meanings of freedom they have commonality on some levels, if we want translate them into Persian we have to say, isalat-e delkhah [the primacy of .[desire

On the opposite side of liberalism is the supremacy of rightfulness and justice. Liberalism states that you have to act as you like, while the divine trend and divine culture states that you have to act within the periphery of rightfulness and justice. One must not make a step beyond the sphere of right and act against justice; of course, the two (rightfulness and justice) are interrelated, for if we take right in its :general sense, justice will also be included

حَقَّهُ حَقٍّ ذى كُلِّ اِعْطاءُ اَلْعَدَالَهُ

".(Justice is to give all rights to their rightful owner (claimant"

Hence, the concept of right is blended in the concept of justice, yet in a bid to avoid .misunderstanding, we mention the two concepts together

So, liberalism upholds the primacy of desire and its opposite is religion that advocates the supremacy of truth and justice. In other

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words, religion says that there are really truth and falsehood and it is not that we have to look for anything that we like. Instead, we have to identify which is truth and which is falsehood; which is justice and which is injustice. Even though I wanted to .commit injustice against others, I am not supposed to do so to anyone

The expediency of liberalism is that we respect truth and justice so long as going against them would lead to crisis; otherwise, everyone can think about his own .interest

They say that compassion and fairness are concepts humanity has brought out while in a state of weakness. If you have the ability, you can do whatever you want to do unless you feel that this freedom (of action) will cause social crisis and since its dire .consequences will also affect you, it (freedom) must be restrained

Thus, the third principle in the Islamic culture is the supremacy of truth and justice whose opposite is the primacy of desire. These three pillars, i.e. humanism, secularism

and liberalism are the three fundamental pillars in the Western cultures, which exert .influence on the lawmaking process

### The Difference between the Islamic and Western Perspectives on the Scope of Freedom

We have stated that all rational people of the world reject absolute freedom. We do not know of anyone who says that anyone can do whatever he wants at any time. So, on negating the absoluteness and limitlessness of freedom, the question is: What is the extent of freedom? To what extent can the law promote or

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restrain freedom? Basing on the divine and Western cultures, there are two distinct answers to these questions. Based on the Western culture, freedom will be limited .whenever it threatens the material interests of human beings

If freedom threatens the life, health and properties of human beings, the law will put a restraint on it. Therefore, if the law would say that maintaining health is necessary and that potable water must not be poisoned as it would endanger the lives of people, this imposition of limits on freedom is acceptable because these freedoms are ought .to be retrained in order to maintain the safety of individuals

Undoubtedly, this law is acceptable for all. Nevertheless, in case an act threatens the chastity, eternal bliss and spiritual values of people, and pollutes the human soul, should the law hinder it or not? It is here that the dispute between the divine and .Western cultures arises

From the divine perspective, man is moving toward divine and eternal perfection and the law is supposed to pave the way for this wayfaring, removing all the obstacles along the way. (At this juncture, the law we are referring to is the legal and administrative law whose guarantor for its execution is the government, as well as the one related to the individual. That is to say that the ethical issues are not what we (.mean

In answer to the question as to whether or not the law should prevent anything that

,jeopardizes the eternal life of human beings



the divine culture states that it should prevent, but the answer of the Western atheistic culture is negative. If we were truly Muslims, and do acknowledge God, the Qur'an, Islam, Hadrat(۱) Muhammad (S), Hadrat 'Ali ('a), and the Imam of the Time (may Allah, the Exalted, expedite his glorious advent), we should hold in high esteem .the spiritual, eternal and otherworldly values

The lawmakers have to observe the spiritual and divine interests while the Islamic government has to prevent that which is harmful to the spiritualities of human beings, otherwise we will follow the Western culture. The law should not only facilitate the bodily health, subsistence and other material welfare of human beings, prevent anything that creates disorder and crisis in the society, and put on check any action that threatens the economic interests and security of the people. Instead, the law .should take into account the spiritualities as well

We have two options before us: We have to accept either the Islamic law or the Western law. Of course, in these two options there are intermixtures and intersections. They are the manifestations of the statement of the Commander of the :Faithful ('a) who says

فَيَمْزِجَانِ ضِغْثٌ هذا وَمِنْ ضِغْثٌ هذا مِنْ يُؤْخَذُ

Something is taken from here and"

(something from there and the two are mixed!"(۲

They take something from the Islamic culture and yet another from the Western culture and this constitutes the asymmetrical combination. Certainly, Islam does not :accept such an approach, and in reproaching it the Qur'an states

اللهِ بَيْنَ يُفَرِّقُوا

[.Hadrat: The Arabic word Hadrat is used as a respectful form of address. [Trans -١
.[Nahj al-Balaghah, Sermon ٥١, http://www.al-islam.org/nahjul [١٢ -٢

أنْ يُرِيْدُوْنَ وَ رُسُلِهِ وَ بِاللهِ يَكْفُرُوْنَ الَّذِيْنَ اِنَّ

يَتَّخِذُوا أنْ يُرِيْدُونَ وَ بِبَعْضٍ نَكْفُرُ وَ بِبَعْضٍ نُؤْمِنُ يَقُوْلُوْنَ وَ رُسُلِهِ وَ

...حَقّاً الْكَافِرُوْنَ هُمُ أولئِكَ * سَبِيلاً ذلِكَ بَيْنَ

Lo! those who disbelieve in Allah and His messengers, and seek to make distinction“ between Allah and His messengers, and say: We believe in some and disbelieve in (others, and seek to choose a way in between; such are disbelievers in truth.”(١

Today, there are also those who want to mix some elements of Islam with some elements of the Western culture, and present it to the society as the “modern Islam.” These individuals do not believe in Islam. If he only believed in Islam, he would know that Islam is a totality whose demands he should definitely accept. I cannot claim that .I do accept Islam, but I do not accept some of its demands

Therefore, our affair in legislation and in setting limit on freedom is situated between the two, one of which we have to choose. We have to regard either the material and worldly threats, or both the material and spiritual threats as the criterion in setting limit to freedom. If we accepted the first we thus accepted the atheistic Western culture, but if we accepted the second, it follows that we accept the divine and Islamic .culture

The farther we are from that polar (the first) the nearer we become to Islam. In any case, these two have no total concordance because as far as material interests are



.Surah an-Nisa’ ۴:١۵٠-١۵١ -١

concerned, both Islam and the atheistic Western culture state that they must be pursued. For example, both the two cultures state that the hygienic orders must be

.observed. Yet, as far as spiritual affairs are concerned, difference arises

When only the material interests are considered, a small circle of the limitations is set before the freedom of man; however, when we added the spiritual values, another circle will be added to the first circle, and two aliquot circles emerge. As a result, the .circle of limitations is wider than the circle of freedoms

When we say that the freedom accepted in religion is not like the freedom in the West bespeaks of it. That is to say that it is on this account that spiritual interests must be observed. We cannot be like the Westerners who are unrestrained and unfettered. We have to observe the set of other values related to the spirit, true humanity and .eternal life of man

But the Western culture says that these values are not related to the social laws. Government and state laws revolve only around the axis of material affairs of society and their opposite are related to ethics, which have nothing to do with the state. Once ,it is said that the sanctities of religion are in danger the government official will say

It does not concern me; my duty is to protect the material interests of the people's lives. Religion is related to the seminaries and the akhunds;(۱) they themselves have



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Akhund: a word of uncertain etymology that originally denoted a scholar of unusual -۱ attainment, but was later applied to lesser-ranking scholars, and then acquired a .pejorative connotation, particularly in secularist usage

to go to protect them (religious sanctities). The government has nothing to do with .these issues

".But if the government is an Islamic one, it says: "Religion first, then the world

### The Preeminence of the Spiritual and Religious Interests over the Material Interests

If we were put in a situation wherein we have to choose between two options: that

with economic progress our religion will receive a blow, or that we would advance in religion while our economy would be arbitrarily affected to some extent—which ?option will we choose

We believe that the advancement of Islam also guarantees economic progress, but in a long-term program provided that it is implemented perfectly. Nonetheless, sometimes it is possible that in a short-term it would negatively affect the economic interests and put individuals in a difficult situation. Now, if the situation would be such, which one has preeminence over the other—religious interests or worldly interests? It :is clear that the religious interests are preeminent, as it has been stated, thus

نَفْسِکَ، دُونَ مالَکَ فَقَدِّمْ بَلاءٌ عُرِضَ فَإنْ

دِينِکَ دُونَ وَنَفْسَکَ مالَکَ فَقَدِّمْ البَلاءُ تَجاوَزَ فَإنْ

If your life is in danger, sacrifice your property for your life. If the situation were such that you have to choose between life and property, you have to sacrifice your property for your life. If the situation were such that you have to choose between life and religion, between remaining alive in unbelief and being slain while having faith, (you have to sacrifice your life and property for the religion.(۱

.At this point, if man is killed, there is nothing wrong

...الْحُسْنَيَيْنِ

p: ۴۴

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.Sharh Nahj al-Balaghah Ibn Abi'l-Hadid, vol. ۸, p. ۲۵ -۱

إِحْدَى الاّ بِنآ تَرَبَّصُوْنَ هَلْ قُلْ

Say: Can ye await for us aught save one of two good things (death or victory in Allah's“ (way)?”(۱

What is wrong with a person who will be slain in the path of his religion? He will directly go to heaven. But if supposedly he would live having without religion for

another hundred years, what is the benefit except that day by day his suffering will ?increase

Thus, from the viewpoint of Islam, religious and spiritual interests are better than material interests. Therefore, apart from observing the spiritual interests, the law has .to give priority to them

### The Natural Law School

From the foregoing discussions, the viewpoint of Islam regarding freedom and difference with the Western culture was clear, but owing to the reputation of the ۱۹۴۸ UN Universal Declaration of Human Rights, it is only proper for us to examine closer .the substance of this declaration on freedom and to know its relation to Islam

Anyone who is acquainted with the philosophy of law knows that one of the schools on the philosophy of law is the natural law school. Since time immemorial, from the time .philosophy was conceived, some have engaged in this discussion

Some philosophers of the ancient Greece believed that human beings have a right, which has been endowed by nature to them and no one can deny that right because .human nature has warranted it for individuals

On this account, they have arrived at some conclusions, which are themselves not harmonious with one another. It is



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.Surah at-Tawbah ۹:۵۲ -۱

at this juncture that one of the famous fallacies on the philosophy of law has emerged, which is known as the 'naturalist' fallacy. Some have said that man has multiple natures. For example, white man accordingly has a certain nature while black .man has presumably a different one

The blacks are assumed to be physically stronger while mentally weaker than the

whites. Similar to this view has been quoted from Aristotle. (One should not make a mistake about it. I personally do not accept these views; I am just quoting them.) He says that since the blacks are physically stronger, the only work they are supposed to do is physical labor. Since the whites are mentally stronger, administrative jobs of the society must be entrusted to them.

In sum, some human beings have been created to render services to other human beings. As such, slavery is a natural law. As of the moment we prefer not to engage in the discussion of whether or not the nature of the blacks has such a standing. It is itself a lengthy discussion for which we will need more time.

In any case, the most rational, sensible and wholesome subject on the natural law ever been discussed throughout history is that if there were something called natural need of all human beings in general, then it must be met. Man must not be deprived of the general need of his nature. Up to this point, this subject is acceptable.

We also believe man

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must not be deprived of those natural needs of him, and naturally, of all human beings. Yet, the question is this: What is meant by this need? It is the nature of man to be in need of foodstuff; all human beings are in need of food. Therefore, no man must be deprived of eating food. He must not be deprived of speaking; that is, his tongue must not be cut off, or to let him take a medicine that would deprive him of speaking, or similar other acts. Nonetheless, it must be noted that they have particular aims in bringing out this kind of topics.

### The Limit of Human Rights in the West

You know that in the recent period an issue called the (Universal) Declaration of Human Rights was brought up.

At the outset, this declaration was signed by the representatives of ۴۶ states. Then, later on, other countries joined them by signing the same, and as a result, the

declaration became a "universal" declaration. In this declaration, rights for man have been enumerated such as the freedom of expression,(۱) freedom on the choice of residence,(۲) freedom on the choice of occupation,(۳) freedom on the choice of .religion,(۴) freedom on the choice of spouse,(۵) and others

Concerning this declaration, there were discussions raised by legal experts who were familiar with the philosophy of law (Muslim legal experts in particular). Among these discussions are the following: What is the philosophical foundation of the subjects you are discussing as the rights of human beings, regarding them as absolute and



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[.Article ۱۹ (Freedom of opinion and information). [Trans -۱

Article ۱۳ (Right to freedom of movement and residence in one's own country and -۲ [.to leave and return at will). [Trans

[.Article ۲۳ (Right to work and fair pay for work). [Trans -۳

[.Article ۱۸ (Freedom of belief and religion). [Trans -۴

[.Article ۱۶ (Right to marriage and protection of family). [Trans -۵

believing that no one should limit them? What arguments are there in their favor? Is ?there a specific bound and limit, or not

Are these rights absolutely above the law, and that no law is authorized to set limit on these rights? Is there not any law permitted to determine the limit of the freedom of expression? Is there not any law permitted to impose limit on the freedom to choose one's spouse? Is there any law allowed to state that you have no right to choose your residence beyond the established limit? Is there any law permitted to determine the ?specific bound of these rights

When we say that such and such a subject is a natural right and natural need of man, does it mean that this right has no limit and bound? If there is a limit, who is the one determining its limit and bound. The truth of the matter is that as far as I know, most of the authors of the declaration themselves and those who have interpreted it have .avoided giving succinct answers to these questions

Finally, what is meant by saying that freedom is above the law? Are there freedoms, which no law has ever been authorized to impose limitation? Are we not supposed to ask, "What is the end point of this freedom"? Does freedom of expression mean that anybody can say whatever he wants to say?! We can observe that no country has ever granted such permission. In fact, every country



is of the opinion that freedom of expression has limit and boundary. For example, .insulting the personality of individuals is unacceptable in all parts of the globe

### The Emergence of Contradictions on the Limit of Freedom

The question on the limit and boundary of freedom and on who determines it has a general answer, and that is, once it is said that freedom is above the law and should not be limited, it is referring to the legitimate freedoms. Some have also said, "Legitimate and rational freedoms," while others have also added other descriptions. In some paragraphs of the Human Rights Declaration the expression "moral' exists, .which focus on the observance of rights along with the moral standards

These paragraphs more or less contain ambiguous concepts. It is obvious that what they meant by "legitimate" is not that a religious law such as that of Islam has prescribed it as such. It is true that linguistically speaking, the words mashru' [legitimate] and shari'ah [religious law] have the same root. However, mashru' [legitimate] in the legal and political context means qanuni [legal] and that which is regarded by the government as authoritative and valid [mu'tabar], and not that it is .definitely religiously permissible

This subject should not confuse some of the believers, and mistakenly supposed that when we say legitimate rights or legitimate freedoms, what we mean are those determined as such by the Islamic law. Instead, what are meant by "legitimate" are the legal [qanuni], and authoritative and valid [mu'tabar] laws [huquq], while "illegitimate" [ghayr-e mashru'] are affairs

.that are infringement on the rights of others

But this question arises: Which are the legitimate and rational rights and which are the illegitimate and irrational ones? Who are supposed to determine them? There is no option but to give this reply: The law determines the details and limits related to freedom, and it is exactly here that the initial contradictions and inconsistencies can .be detected

On one hand, they are saying that these rights and freedoms are above the law and that no law is supposed to limit them. But when we inquire as to whether freedom is absolute or limited, they say that it is not absolute. Since they cannot offer a correct answer, they say that what they are referring to are the legitimate freedoms. We are "?'asking, "What is meant by 'legitimate

They reply that "legitimate" is anything that the law has approved. It is this law that determines the limit of freedom. You are saying that these freedoms are above the law. In reply they would possibly say that all human beings and rational individuals .know what is meant by legitimate and rational freedoms

We will say to them that if all people and rational individuals know a certain subject, dispute concerning it is therefore inconsequential because we and all Muslims of the world who constitute a population of over a billion people of the world, are among the rational ones. And they can say that in Islam some forms of freedom have been recognized, and

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they acknowledge and accept some forms of freedoms and do not recognize some others. In the end, keeping in view of the knowledge and research that we have, this question has remained unanswered. The philosophers of law have no categorical .answer as to what thing sets limits on freedoms

### The Realm of Freedom in the Human Rights Declaration

What the commentators of the Human Rights Declaration and philosophers of law

have written in books on the philosophy of law about the limitation of freedom are some items. The first thing that has been brought up as the one setting limit on the .individual freedoms is the freedom of others

That is to say, an individual is free as long as he does not disturb the freedom of others and does not infringe on the rights of others. This is the most important .argument that the philosophers of law have ever advanced and they have insisted it

In fact, in the Human Rights Declaration, which is like the gospel of the Western law philosophers, it has been emphasized that any person is free so long as his freedom does not interfere with that of others. However, if the freedom of a person would create disturbance for others, then he is deprived of such a freedom. And it is at this .point that freedom is limited

At this juncture, many questions can be posed, among which are the following: Firstly, in which areas and categories do you conceive of disturbance on the freedom of others? Are spiritual affairs also included? Is opposition



?to the religious sanctities of people equivalent to opposition to their freedom, or not

The Western liberal thought states: The limitation of freedoms does not include spiritual affairs, and opposition to the spiritual affairs does not impose limit on freedom. Thus, when it is said that Islam regards the one who insults God, the Prophet (S) and the sanctities of Islam as an apostate [murtad], and for instance, declared permission the killing of Salman Rushdie for acts of blasphemy against the sanctities of Islam, it does not accept and states that it is free to express one's opinion. He is an author and he can write whatever he wants to write; you can also write whatever you like. Our question is this: Are the subjects of this book (The Satanic Verses) not an insult on the sanctities of others, or not? Certainly, you cannot say that .they are not an insult

Is freedom of expression so broad that a person on that part of the world could afford

insulting the sanctities of over a billion Muslims who love their Prophet (S) more than they love themselves and are ready to sacrifice hundreds of their loved ones for his sake? Do they consider this act as freedom of expression?! If what is meant by freedom of expression in the Human Rights Declaration is such a thing, then we straightforwardly and unhesitatingly do declare that we do not acknowledge this .declaration

## The Problems of Categorizing Freedom in the West

Our fundamental question to those who consider as valid this declaration and

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regard it as equal to the venerable gospel is this: From where has this declaration gained validity? Has it rational basis? In this manner, you have to argue with reason. It .cannot easily be said that freedom is above the law and it cannot thus be limited

If you say that it earned validity as the representatives of countries have signed it, then it becomes clear that its validity depends upon our signature. Now, what about those who have not signed this declaration, or have signed it on conditional basis? Are ?they also obliged to unconditionally abide by it

Every society has a particular culture, things considered sacred, and laws, and in one of the provisions of this Human Rights Declaration it is stipulated that every person is free to choose his own religion. Well, once the person chose his own religion, he is supposed to observe its decrees. Choosing one's religion does not only mean that he has to merely utter so but rather in action he has to be free as well, and to freely .observe the precepts of his chosen religion

Now, we freely chose Islam; Islam states that anyone who insults the holy personages of Islam is sentenced to death. The Western culture states that these decrees of Islam are against human rights, against the natural rights of human .beings

It is because every human being, on account of his natural need, has the right to say

whatever he likes. Therefore, these two items (freedom of expression

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and religious freedom) stipulated in the Human Rights Declaration are contradicting each other.

## The Freedom of Belief and Expression

### point

Albeit, by reflecting on the earlier discussions, the perspective of Islam on the freedom of belief as well as the freedom of expression is clear, since there are more emphasis these days in the political literatures of our country on the topic of freedom of belief and after that freedom of expression and press freedom, we will examine these two topics separately.

Some of the so-called intellectuals say: The freedom of belief and freedom of expression are among the rights and freedoms that are above the law, which no law has the right to set limit on. Every person in whatever circumstance, social system, value system, and religion he belongs to is free to choose whatever belief, thought or idea he would choose. And then he is also free to express this belief and thought, to propagate and discuss and engage in a dialogue with others regarding the same. He has equally the right to print and disseminate it to the society (freedom of the press).

This is something that has been accepted in the world today (or it is better for us to say that it is claimed that all countries of the world have accepted it) and one of the requisites of the democratic nature of a government is this very issue. If in a country every person is free such that he could think whatever he likes, say whatever he likes, and write whatever he

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likes, that society is a democratic one, while the opposite is undemocratic. Nowadays, one of the problems of our Islamic system, they are saying, has something to do with this issue.

## Freedom of Belief as an Affair beyond the Realm of Law

As what we have indicated, one of the freedoms which has been given much importance and chanted as slogan is the freedom of belief. Man is free to have whatever belief he is inclined with. No one has the right to insult the belief of others, or to condemn, prosecute and punish them on account of their belief. Of course, there are Muslim legal experts, both in Iran and other countries, who have come to the defense of the Islamic viewpoint in this regard, publishing numerous works on these .topics

What we are able to state as of the moment is that at the outset this question must be posed: Is "belief" ['aqidah] as a conviction and a personal affair related to the heart, in principle related to the matter of law [huquq], or not? Sometimes we want to express a belief or to make practical steps derived from it. If this is the case, this is no longer related to the freedom of belief; instead, it is freedom of expression or freedom of .action

Belief is that which is in the heart and mind. Our question also is this: Is such a thing, in principle, related to the law, or not? In our opinion, the answer to this question is a negative one. The subject of law is the social



.behaviors, and legal laws are enacted for establishing order to the social relations

Any affair that is purely individual and personal, and totally belongs to the private realm of individual life has nothing to do with law. This kind of affair is situated at the realm of ethics. It would possibly find belongingness in the ideological and moral ."must" and "must-not", but the legal law is not enacted for it

An action can possibly be so abominable from the moral perspective, but in any case since it is a personal affair nothing has been written about it in the legal law books. As .a personal and private affair, belief is not situated in the realm of law

Whether it is good or bad, correct or wrong, belief has nothing to do with law. The

goodness and badness, or correctness and wrongness of a belief must be examined within the pertinent field. If a person believes in a superstitious and irrational affair—of course, it is not a rational act—yet, in any case, it is not related to law.

As such, to advance the proposition that legally speaking man is free to have whatever conviction he wants is incorrect and fallacious because the scope of law and legal rules is the social behaviors and relations while conviction is a personal and individual affair related to the heart. So, in the legal laws of Islam a law pertaining to belief does neither positively nor negatively exist:

لآ اِكْراهَ فِى الدّينِ...

"There is no compulsion in

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religion."(۱)

This noble ayah [verse] is a witness to the fact that since it is an affair related to the heart and soul, religion is not for compulsion and imposition. Conviction cannot be imposed. Belief cannot be created by force; coercion cannot change it either. Belief cannot be subjected to law such that we could express it "legally" or "legally" remove it from the mind and heart of human beings. Belief is based on reason.

So long as the reason behind it exists, belief will also remain. If the reason behind it was altered, belief will also fade away. If the reason was proved false, the belief will also die out. Therefore, the question on whether belief has freedom in Islam or not is an irrelevant question because neither Islam nor any other legal system could positively or negatively formulate a law concerning belief.

Yes, once the belief is expressed, propagated and disseminated, and put into action so as to draw the attention of others toward it, at the time it will enter the sphere of social action, and enacting legal law regarding it becomes possible. From then on, the discussion is on the freedom of expression, which we will examine.

Before describing the viewpoint of Islam regarding the freedom of expression, it is fitting to take a glance at the condition of freedom of expression in the West. The .truth of the matter is that freedom of expression in the West is merely a slogan

Its claimants have never practically accepted



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.Surah al-Baqarah ۲:۲۵۶ -۱

it as an obligation and they do not. Like many other slogans, this slogan is only a means to put pressures on countries that are not ready to abject surrender themselves to the capricious desires and unreasonable demands of the World Arrogance. If there is an issue, which is incongruous with their interests, there is no .mention of freedom of expression

Of course, in a bid to deceive public opinion, they usually attempt to surreptitiously and clandestinely create these restrictions, not imposing them in a conspicuous and lucid manner. There are a lot of relevant instances. We will cite here two or three .cases as examples

I have personally a piece of reliable information that sometime in the past, the representative of the Supreme Leader (Ayatullah al-'Uzma Sayyid 'Ali Khamene'i) in London had submitted a news item to the newspapers for publication. Although he was ready to pay the necessary amount, none of the newspapers was ready to publish it. The pretext was that the news item was related to a speech of the Supreme .Leader, which was not concordant with the British policy

After much effort, and many mediations and recommendations, one newspaper was finally willing to publish the news item. After its publication, the newspaper was immediately prosecuted. This is while they are regularly propagating to us that Britain .is one of the most liberal countries with respect to the freedom of the press

Another example is related to Mr. Roger Garaudy, the famous contemporary French researcher and thinker. He



is considered one of the luminaries of France in this era. He is a philosopher as well as a historian who has written and published numerous books many of which have been translated into different languages. He recently wrote a book in which he proved as substantiated by evidence and documents that the massacre of millions of Jews during the Second World War in Germany and some other countries is a sheer lie.(۱)

The nature of the case was that if there is a controversy on this claim of Mr. Garaudy, another person or persons could present counter documents and evidence proving its inaccuracy. But the way they dealt with Mr. Garaudy in France, the "bastion of freedom", was that they prohibited his book, summoned him in court, tried him, and convicted him to pay heavy fine.

More interesting was that a German publisher who translated into German and published his book was forced to sell his publishing company. Thereafter, the said publishing company was totally effaced and omitted from the list of German publishers. As if it did not exist at all; that it has no external existence. The crime they accused Professor Garaudy of was that he has offended the Jews throughout the world.

This is while the publication of a book such as The Satanic Verses is not prohibited not to mention the fact that it won literary award and was translated into tens of languages. The British government is also spending thousands



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۱- In his book, Les Mythes fondateurs de la politique israelienne (The Founding Myths of Israeli Policy), Garaudy questions the holocaust as a historical fact and as a valid basis for the usurpation of Palestine, including Jerusalem, by European Jewry with no links to the land, and at best dubious historical claims to it. [Trans.]

of pounds daily for the security of the book's writer; for Iran and some Muslim countries they set the abolition of the religious edict [fatwa] against Salman Rushdie .as the prerequisite for the improvement of diplomatic relations with Britain

## The Islamic View on Freedom of Expression and the Press

### First Exposition

The discussion on whether the press and mass media must be free or must not be free is included in the group of "must and must-not" cases and the class of values-related cases. Therefore, the discussion on this issue opens another fundamental .discussion on the criterion and origin of determining values

There are those who believe that values are based on the desire and preference of people in every society. For this reason, one cannot talk about "must" and "must-not" as well as universal values that remain in every period and place. It is natural that on such a basis we have to determine in which period and in which society we are in so that we could know what to tell based on the desire and preference of people of that .period and that society

Yet, in our opinion, this basis is unacceptable and we believe that all social values cannot be determined by means of conducting opinion survey and referring to the public demand. Instead, many of the values are described on the basis of the real interests of human beings. This is apart from the fact that all social values of a society must finally have a rational foundation and must emanate from a coherent and logical .system

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On this basis, regarding the second question we will also naturally arrive at the conclusion that the "must" and "must-not" we are talking about in the context of the freedom of the press will be based on the values system of Islam in the same manner that this issue in any other values system in which it is discussed will be based on the .same values system

The values system of Islam is a pyramid-like system with a central point on top and its surfaces below are arranged together in such a way that their placement together would lead us to the top of the pyramid. The ultimate point of values on top of the pyramid is the same thing that we described as "nearness to Allah" [qurb illa'llah]. In the parlance of philosophy, we regard the "ultimate perfection" of man as "nearness ".to Allah

All values in Islam are designed and arranged in such a manner that they are gearing toward the attainment of the ultimate perfection of man, i.e. "nearness to Allah." In this manner, the criterion and standard of values are also specified. With the acceptance of this basis, everything that has role in attaining perfection will find a positive value, and everything that is a hindrance in the attainment of that perfection .will be considered anti-value

Everything that draws man toward Godliness is a "good" and desirable affair, and everything that separates man from God and draws him toward materiality and bestiality is "bad" and will have



a negative value. The Islamic government and state is also duty-bound to endeavor to preserve and promote values, and to negate and hinder the growth and spread of .anti-values

So, the single criterion in determining "must" and "must-not", "good and bad" and "value and anti-value", and philosophically speaking, "hasan" and "qabah" is whether or not it is along the ultimate perfection of man and nearness to Allah. Freedom of the .press and mass media can be evaluated on the basis of the same ruling

If the press and mass media are effective for the perfection and nearness of man to God, it is a desirable affair and will have a positive value, and if they cause separation from God and lagging behind in the path toward his perfection, it will be considered .anti-value and in many cases it is incumbent upon the government to prevent them

If we give opinion on the issue from the philosophical viewpoint, speech and statement are among the human acts. Although in the common usage and public culture it is possible that sometimes action is used in contrast to speech, philosophically, speech is actually a kind of action. In philosophy action means any movement performed deliberately and willingly by man. In sum, action means .deliberate movement

With such a perspective, action is sometimes done by hands, at other times by the tongue, at another by the mind, and at yet other times by the other senses. Now, the general ruling we mentioned about values will

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be conformed here. That is, human actions, both individual and social, must be placed within the framework of the value system of Islam, and they must not be inconsistent ".with the movement of man toward the pyramid summit of "nearness to Allah

Of course, not all values can be related to "law" in its general sense. One set of values is technically called "moral values", which are beyond the domain of law. The moral values are also sometimes called religious values notwithstanding the fact that in one .sense religious values can also be divided into two: legal values and moral values

The significant difference between ethics and law is that ethics is related to the domain of private, individual and personal lives of human beings while legal laws are enacted in the context of social actions of human beings and are responsible in .organizing social relations

Therefore, moral values, i.e. individual values, and legal values, i.e. social values and in other words, so long as an action—as per its philosophical definition we have just made—is done totally within the personal and private domain of individual and having no social implication whatsoever, is not covered by the legal laws, and the state and .government, which guarantees their implementation, has nothing to do with it

However, as soon as an action acquires social dimension and in some way finds

relationship with others, the legal laws will encompass it and the political system and the government as the guarantor of their execution will take supervision

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.of it

Earlier, we have also pointed out that freedom of thought and freedom of belief, for example, are essentially not subjects of legal laws because belief and thought are purely personal and private affairs related to the heart. Yes, if the belief and thought wanted to be expressed by the tongue or to be published in the newspaper, magazine and book, this is no longer freedom of belief. Instead, it entered the domain of the .freedom of expression, which is the subject of our present discussion

But regarding the freedom of expression and the press, we have to state that it is natural that they are covered by the legal laws, for speaking and writing are two kinds of actions, which are not only related to the person in question as they may have .relations with other members of the society

In such an assumption, they are social actions and will be covered by the legal laws unless we assumed that a person writes something only for himself and delivering a talk only to himself. Of course, it is obvious that the point of the discussion, and in other words, the point of dispute on the freedom of expression and the press can .never be such assumptions

Speech and writing have social effects, and as such, they are social actions. Apart from that, it must be said that sometimes speech and writing have such social effects that other social actions do not have. The greatest social developments, whether in

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the positive dimension or negative dimension, have been the result of effects of these .two actions

The most important instrument of the prophets who have been the greatest catalysts

of change throughout history in the realm of social life of humanity has been speech and talking. Many political and social tumults and disorders are also formed as a result .of the influence of speech and writing

Nowadays, the role of the newspapers and periodicals in the different arenas of human societies cannot be denied. Thus, there is no doubt that speech and writing must be regarded as important social actions and that the state and government has the right in the set of legal laws to take into account particular rulings for them. It is for this reason that speech is a very important and influential action and it is never been a simple action. Islam has also opened a special account for speech, explaining .many decrees and teachings about language and speaking

### Second Exposition

From the viewpoint of Islam, everybody is free to express his or her own belief unless .doing so is inconsistent with the human interests

What is referred to as "interests" includes material and spiritual as well as worldly and otherworldly interests. This issue is similar to the case of a food manufacturer and pharmaceutical company that are free to produce any food or drug unless it is detrimental to the health of human beings. The mere probability of the existence of poisonous and dangerous food or drug in



.the productions of a producer will render its productions as banned

Now, you have observed that due to the effect of the spread of the mad cow's disease in Britain,(۱) other countries have banned all imported beef products from Britain. Here, there is no more discussion about free trade. Why? It is because with a probability, let's say, of one in a million, there is a chance that on account of .consuming contaminated meat one person will be harmed

Owing to this minute probability, (import-export) transactions are stopped and no one in the world has also complained as to why you, for example, are acting against the

.spirit of free trade

If other things which are detrimental to the human health are also banned, no one will protest why buying and selling them are declared prohibited and their producers prosecuted, and no one either will say that it is against human rights and that human beings are free to produce whatever they like. They are free to produce so long as it is .not harmful to others

Those that exist in the world and are the focus of attention are usually these harms that will be inflicted on the human body and physique. But apart from physical harm, Islam also pays attention to the spiritual and religious damages. It acknowledges .freedom so long as it is not physically and spiritually harmful to man

The people of the world usually regard justifiable the imposition of limit on freedom only on matters harmful

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See, for example, M.S. Ahmed, “Mad Cow Disease: ‘Proud UK’ can’t admit it is - ۱ poisoning the world,” Crescent International, November ۱-۱۵, ۱۹۹۷, [.http://www.muslimedia.com/archives/special۹۸/madcow.htm [۱۳]. [Trans

to man from the material and physical dimensions, while paying little attention to cases that are damaging to the humanity from the spiritual and religious aspects; in .the present period, it can be said that the latter has not been given attention at all

Alcoholic drinks that obliterate the human intellect, damage the heart and liver, and have numerous other harms, are not prohibited, for the people like them. They say that since the primary right of every human being is freedom in the choice of occupation, if someone wants to open a beverage shop you cannot and should not prevent him. If we would prevent such an occupation and job, we have behaved .against human rights

Prior to the Revolution, by resorting to similar arguments there were hundreds of

liquor stores in Tehran and other cities in our country. They were saying that the concerned person has freedom to sell liquor and of course, you are also free to buy as the demand of human rights is that he is free in his job and those who regard it as unlawful [haram] and against the religion are also free not to buy.

Concerning hijab [Islamic modest dress] they are also saying that it must be free. Anyone who wants to have hijab can have it while anyone who does not like it can have without it. Freedom in the choice of attire and dressing is a primary right of human beings. You cannot compel anyone to have hijab. This is

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against human rights!

What is interesting is that such words are sometimes uttered even by those holding offices or partially holding offices in the Islamic system particularly in some ministries and government organs. Recently, they allegedly sought for the solution in such a manner that a non-government organization in a government building held a meeting for the removal of discrimination against women, and numerous foreign women without hijab participated in this program.

Perhaps, you have also seen in the newspapers its picture. They wanted to issue a decree and put to test the people so as to see to what extent the people are sensitive toward the religious laws and decrees. Thanks to God, because of the intense reaction that was shown by the people, they kept silent. So long as such people are present in this country, the other Islamic values will remain respected, and if some things have ever diminished, by the grace of God and His will, they will be redressed.

In any case, in the Western culture these freedoms do exist and are deemed respectable. They are saying that no law can set limit on them. We who are Muslims and observing the Islamic law have fundamental disagreement with them in this context. For them to merely say that they have been stipulated in the Universal Declaration of Human Rights, for us the said declaration is not a divine revelation. They have stated and written them based upon their culture while we do act based

also

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upon our own Islamic and religious culture, and we do not have any compulsion on the .(observance of matters contrary to the decree of God and His Messenger (S

**Nonverbal and Media Expression**

An issue that must be given attention is that books, periodicals, media, films, the Internet and, in sum, anything that in one way or another performs the function of message transfer, is, in reality, one of the various kinds of expression and communication. In order to communicate to others his thoughts, beliefs, inclinations, and anything transpires in his mind and heart, man makes use of language, speech .and writing

Similarly, in a bid to communicate his message to others, he sometimes makes use of other body parts such as the eyes, eyebrows, hands, and feet. At other times, he does the same through drawings and paintings. All of them are means to do a single work, i.e. transfer of one's message to others. With such a perspective, it is very clear that the newspaper, magazine, book, theatre, film, caricature, radio, television, the Internet, etc. in reality are all "various kinds of expression", and every legal decree .that expression and speech have can also be applied to them

Therefore, if, for example, Islam states that insulting or embarrassing others, or divulging the secret of the private and personal life of others by means of talking and speaking are not allowed and in some cases they are to be prevented, prosecuted and penalized, doing the same acts through film, newspaper, book, and caricature

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has the same ruling and it makes no difference whether a person insults and .embarrasses others by speaking, or does it by writing in a book or newspaper

Some think that the paper of the newspaper has sanctity such that by speaking you

cannot baselessly attribute something unjustifiable to somebody, but without any supporting document and evidence and only based on the fact that "it is said" or "it is heard" a whole page of the newspaper can be filled with accusations against an .individual

Sometimes you talk to a person face to face from a close distance, expressing to him love and affection. At other times, you write the same expression of love, interest and affection in a letter, which you send to the person concerned. Do these two forms of expression differ from each other? Does the face-to-face way an expression of love ?while the one inscribed on the paper an expression of hatred

Once the subject is the same, whether it is uttered by the tongue or inscribed by the pen on a sheet of paper, there is no difference. Yes, there is a difference between them, for once you write and publish it in the book and newspaper its effect is ten .times, hundred times, or probably thousand times greater

If abusing, calumniating and accusing a person by means of speech face to face is bad, writing it in a letter or expressing it through a film and play is equally bad and unacceptable; it makes



.(no difference (as far as the badness of the act is concerned

If embarrassing a person in front of others by means of speech is bad, embarrassing him in front of thousands and millions of people by means of publishing an essay in a book and newspaper is far worse. It is not that all at once the ruling would be changed and since it was in the newspaper, it is not only not bad but also it would be regarded .as sacred

Therefore, mass media in Islam has no ruling distinct from that of oral expression. If the "spoken" form of something has been morally deemed forbidden, expressing the same through other media is also morally forbidden. If its "spoken" form has been .unlawful [haram], its expression in any other means is also unlawful

If the "spoken" expression of something has been recognized by the legal law as not allowed and prohibited and penalty for doing so is determined, the ruling for expressing the same through other media is also the same. On the contrary, if "spoken" expression of something and spoken reaction to it is deemed obligatory [wajib], in the case of having facilities expressing the same through other .communication media is equally obligatory

## The Responsibility of Expression

Of course, it should not be imagined that regarding expression (both spoken and via media) Islam is only concerned with prohibiting and restricting it. Such a notion is totally wrong. So many expositions and statements (both spoken and via media) is deemed permissible



.from the viewpoint of Islam, without restricting them howsoever

Many expositions and statements are not only permissible but they are also obligatory. Not only that they are obligatory; instead, some are among the most obligatory things. In a situation wherein the enlightenment of a society and its deliverance from the misguidance of unbelief [kufr] and polytheism [shirk] and impiety depends upon the use of the tongue, pen, film, and any other media, it is incumbent upon man, should he be capable of, to use them all to express the truth and refute .falsehood

Sometimes, this issue is so important in that to exercise dissimulation [taqiyyah](١) is unlawful, and in the words of the late Imam Khomeini (may his soul be sanctified), "To ".take action is obligatory unless there is nothing to convey

The movement of Imam Khomeini (r)(٢)—this greatest socio-political movement of the twentieth century—commenced with the pen and speech. The Imam began his work by issuing manifestos and delivering speeches.(٣) He regarded speaking and "expression" for him as the most obligatory of all obligations and deemed himself "obliged" to do it. In some cases, his view concerning this "duty" is as what he said: If a

person does not shout and voice out (the truth of the matter), he has committed :major sin. In this connection, the Holy Qur'an also states

بيّناه ما بعدِ مِنْ والهُدى البيِّناتِ مِنَ أنْزَلْنا ماَ يكْتُمُوْنَ الّذينَ اِنَّ )

( اللاّعِنُوْنَ وَيلْعَنُهُمُ اللهُ يَلْعَنُهُمْ أولَئِكَ الكِتابِ فِى لِلنّاسِ

Those who hide the proofs and the guidance which"



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Taqiyyah: prudential dissimulation of one's true beliefs under conditions of acute -١ danger to one's life, property, or honor, a practice based on Qur'an, ٣:٢٨. As its observance depends on certain terms and conditions, it may be obligatory [wajib], recommended [mustahab], abominable [makruh], or forbidden [haram]. For a fuller discussion of taqiyyah, see Sayyid Saeed Akhtar Rizvi, Taqiyyah (Dar es Salaam: Bilal Muslim Mission of Tanzania, ١٩٩٢), http://www.al-islam.org/taqiyyah; [١۴] Al-Taqiyya/Dissimulation, http://www.al-islam.org/encyclopedia/chapter۶b.html; [١۵] and 'Allamah Tabataba'i, Shi'ite Islam (Albany, N.Y., ١٩٧۵), pp. ٢٢٣-٢٢۵, http://www.al-[.islam.org/anthology [١۶]. [Trans

The abbreviation, "r" stands for the Arabic invocative phrase, rahmatullah 'alayhi, -٢ rahmatullah 'alayha, or rahmatullah 'alayhim [may peace be upon him/her/them], [.which is used after the names of pious people. [Trans

For information on the role of Imam Khomeini's speeches in the victory of the -٣ Islamic Revolution, see Kauthar: An Anthology of the Speeches of Imam Khomeini Including an Account of the Events of the Islamic Revolution (١٩۶٢-١٩٧٨), Volumes ١-٣ (Tehran: The Institute for Compilation and Publication of Imam Khomeini's Works, [.Winter ١٩٩۵). [Trans

We revealed, after We had made it clear in the Scripture: such are accursed of Allah (and accursed of those who have the power to curse."(١

Those learned men who do not convey the truths of religion that God revealed for the people, do not resist against heresies and exercise voluntary silence for the sake of

his personal interests are the subject of God's curse and that of the angels and all those who are entitled to curse. In such cases as per the text of the Holy Qur'an, to express is among the most obligatory things and anyone abandoning it deserves the .curse of those who are entitled to curse

What is meant by "expression" [bayan] is not solely "speaking." Instead, it includes writing, radio, television, and any media that can possibly be used to spread the truth and save human beings from deviation, ignorance and impiety. In such cases, to express is not only a "right" [haqq] but also a "duty" [taklif]. Enjoining what is right and .forbidding what is wrong is one of the most important among them

Of course, there are different stages of its duty. One stage of the duty of expression is related to the people in general while another stage of which is for the individuals who have peculiar facilities, powers and capabilities. In this context, the highest stage of duty is shouldered by the Islamic state and government, which possesses the .greatest power and facilities in this respect

In principle, the general criterion



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.Surah al-Baqarah ۲:۱۵۹ -۱

of proving duty for the government is the same general ruling, which we discussed in relation to values. That is to say, what is related to the "interests of society" and along the path of the society in general toward "nearness to Allah", it is necessary for the .government to the extent of its capability to provide them as far as possible

And it is also incumbent upon the government to remove whatever is detrimental for the interests of society, both material and spiritual, and serves as an impediment for .the realization of human perfection

For instance, if expression of an issue (whether orally or through any other means) is harmful for the welfare of society, its spread must be hindered in the same manner

that distribution of poisonous, contaminated and perilous foodstuffs and medicines in .the society shall be prohibited

### The Freedom to Ask

An issue that has remained untouched is that sometimes the motive of a person in expressing a subject is not in propagating and promoting it, but in posing the question. That is, as an academic or scientific discussion and subject he wants to make clear for ?himself this issue. What is the ruling for this issue from the viewpoint of Islam

In this regard, we have to say that Islam places special importance and value to posing a question and academic discussion, although it would be about the most crucial Islamic principles and teachings. Islam never suppresses raising a question .and does not prohibit it

Not only does Islam not



hinder posing a question but also it gives importance to giving the reply and clarifying the doubt to such an extent that if a person from the enemies of Islam at the middle of the battlefield wants to ask a question about the truths of religion Islam has :ordered to provide the opportunities for him to come and get a due answer

يَسْمَعَ حَتّى فَأَجِرْهُ اسْتَجارَکَ الْمُشْرِكِيْنَ مِنَ أَحَدٌ اِنْ وَ )

) يَعْلَمُوْنَ لا قَوْمٌ بِأَنَّهُمْ ذَلِکَ مَأمَنَهُ أبْلِغْهُ ثُمَّ اللهِ كَلامَ

And if anyone of the idolaters seeketh thy protection (O Muhammad), then protect" him so that he may hear the word of Allah; and afterward convey him to his place of (safety. That is because they are a folk who know not."(1

But the point that must be given attention in this regard is that "there is a place for every talk and position for every point." Question and inquiry are respectable, but they must be placed within the framework of the same general values system of .Islam

In other words, the manner and circumstances of raising question should not be in such a way that it is harmful to others, make them lag behind in the ultimate .perfection and make them deviate from the path of perfection

Religious and scientific inquiry and question must be posed in their proper place, and not that, for example, doubt would be raised before the assembly of schoolchildren or any other assembly that has no familiarity with the fundamentals of Islam and philosophical



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۱- ۹:۶ Surah at-Tawbah.

.and scholastic matters

Anyone who has a question has to raise it at the academic centers and at the circle of pertinent experts at the religious seminary and other similar academic assemblies. And there is no problem for that. There is no problem either with scientific discussions on religious controversies provided that their particular requisites and etiquettes are .properly observed

If it is so, apart from being not harmful, it also paves the ground for the growth and consolidation of the religious principles and precepts. But if a person does not observe the proper requirements and regulations, and asks the question in such a manner that it leads to the corruption of belief and deviation of others, he must be stopped in .the same manner that distribution of any harmful item shall be checked

Under the pretext of freedom in medical issues, can one spread any microbe in the !?alley and street

This is while there is no problem and impediment in bringing the same microbe in the laboratory and before the experts for study and research on it. Not only that there is no problem but rather it is very important because out of studying it, the experts can discover the means to prevent its infection, to resist against it and to cure those who

.are afflicted with it, and thus, saving the lives of thousands and millions of people

Intellectual and religious doubts are exactly similar to it. Raising them in the public opinion of society bears no



result except heavy, and sometimes, irreparable and catastrophic losses. But raising them in the academic circle of pertinent experts will result in the further growth, .blossoming and exaltation of thought, learning and religion

## Clarification of Doubts

### point

By reflecting on the previous discussions, many answers to doubts will become clear, but in a bid to elucidate better the earlier subjects, we will embark on describing some .doubts and the corresponding answers to them

### Doubt ۱: Mandatory laws are against the demand of humanity

In the parlance of logic, freewill is the reason, assessor and controller of man and it constitutes the essence of humanity. Now, if we deny him of freewill and freedom and compel him, we have denied him of humanity and uniquely made him like an animal, in .whose neck a bridle is placed and is drawn to this and that way

So, showing respect to man and preserving his essence of humanity necessitates granting him the right to choose. As such, religion is not supposed to have mandatory decrees and urge him to obey the Prophet, the Imams, and the deputies and representatives of the infallible Imams. In this manner, his humanity is disrespected .and he is made like a domesticated animal that is drawn to this and that direction

### Reply

If we submit to the skepticism and say that since man is autonomous, mandatory law then should not be imposed on him. No government can have mandatory orders for human beings. They are autonomous to do whatever they like. Imposition is

tantamount to denying freedom and denying freedom means denying

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humanity. Thus, no law is valid and we have accepted the law of the jungle and chaos. Basically, compulsoriness is the enduring feature of law and an account will become a .law if it entails compulsoriness

In any system and structure, once a person accepts the laws and directives, he has to observe them in all circumstances. It is not possible for a person to acknowledge the law, but once its execution is detrimental to him and he is subjected to the dictums of .the law, he would not abide by it and take into account his own gains and losses

In this manner, the system will disintegrate and will never recover. So long as a law is regarded valid and official by the legislative authorities, everybody is supposed to obey. Even if a defect can be noticed in it, it is the duty of the concerned authorities to redress it. Under the pretext of the defect in the law, others are not supposed to .refrain from obeying it

### Doubt ۲: The government's imposition of limitations is against the demand of freedom

No government has the right to set penalties and impose limitations on the people because in doing so, out of fear of the penalties, and on account of the pressure put on them, the people will not commit any violation. However, if there were no penalties and limitations, they could have freely done whatever they like, whether it is good or .bad

### Reply

The problem with the above argument is that it stands on the principle of absolute freedom. They have discussed some preliminary

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points of this principle and on the basis of which they imagine that in this world man .must be totally free and no limit and pressure should be imposed upon him

No one is supposed to compel him to do a certain action and to hinder him doing a certain action. Without doubt, this principle is illogical and for any person with intellect .and common sense, it is wrong and unacceptable

No man has absolute, limitless and unrestricted freedom in that he can do whatever he likes, and no law would restrain him. (Here, what we mean by law is not the moral and rationally independent laws, which have no guarantor of their execution. Rather, it refers to the legal laws in their general sense, whose execution is guaranteed and (.backed up by the government

There must be laws and regulations, and the people must be urged to observe the laws and regulations. If a person violated them, he must be dealt with accordingly. If a person usurped the rights of people, he must be urged to grant them their rights. There must be traffic and driving rules, and the violators who sometimes are .responsible for the death of many people, must be penalized and fined

Apart from the fact that the existence of laws and regulations and their acceptance by all people everywhere throughout history bear witness to the fact that absolute freedom—that no one has the right to exert pressure on others, impose limit on them and to deny



them some of their freedoms—is unacceptable and wrong. In practice, no one has ever been obliged to it. Acceptance of the principle of absolute freedom means denial .of civility and acceptance of the savagery and law of the jungle

If man is really a civil creature, he must have a social system. Individuals must respect the rights of others. There must be laws and regulations. Penal laws must be taken .into consideration for the violators

The government must guarantee the execution of the laws. In reality, the notion of absolute freedom and this claim that no one is supposed to exert pressure on people to do or not to do a certain act, is a denial of the necessity of the existence of

government and is undertaking that the government should cease to exist because the government, ruling system and executive power basically take form in the context of the existence of social laws and regulations and their duty is to guarantee and implement laws.

Certainly, such an idea and thinking is inconsistent with law abidance, civil society, civilization, and the need to observe the laws. The foundation of human civilization is the acceptance of responsibility and the acknowledgment of a power whose concern is to implement laws in the society, and certainly, along its performance of responsibility, the government will also exert pressure on the people.

The government's duty is that in case of necessity, by exerting pressure and forceful and powerful actions, it has to urge the lawbreakers

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to abide by the regulations and to penalize the violators. If mere reminders and admonitions will suffice, then it is enough for the government to act as a teacher and instructor, and not as a ruling authority.

The duty of the preachers, teachers and trainers is only to admonish and remind the people to observe social morality and human etiquettes. They have no executive leverage for following their admonitions and reminders, and it is essentially not their duty to urge the people to observe human dignities.

But it is the government's duty to impose the law to the people even by force and threat and to deal with the violators accordingly. It has to fine the violator, and in case he tries to escape from the ambit of law, he has to be pursued and apprehended, and for him it has to implement the laws and regulations.

Therefore, the existence of government and executive power is the basis that man does not possess absolute freedom. Absolute freedom is inadmissible and inharmonious with civilization, humanity and social life.

It makes no difference whether the government is the executor of civil laws, which

have been codified based on the demands of people, or the government is the .executor of the divine laws

## Doubt ٣: The need for obeying God and the Prophet is against the demand of the Qur'anic verses

If religion wanted to interfere in the political and social affairs of people, and obliged them to have a particular behavior or to obey someone, this is contradictory with the ,freedom of man. Man is a creature having freedom and freewill

p: ٨١

who is supposed to do whatever he likes. No one is supposed to oblige and compel him to perform a certain act. And that religion has to set the duty for him and urge him .to obey someone, and an absolute obedience it is. This is discordant with freedom

The Holy Qur'an also negates dominating and controlling others, and does not regard even the Messenger of God (S) as having dominion (over others). We will cite below :some verses that indicate this point

( بِمُصَيْطِرٍ عَلَيْهِمْ لَسْتَ * مُذَكِّرٌ أَنْتَ إِنَّما فَذَكِّرْ )

.Remind them, for thou art but a remembrancer"

(Thou art not at all a warder over them."(١

( بِوَكِيلٍ عَلَيْهِمْ أَنْتَ وَما حَفِيظًا عَلَيْهِمْ جَعَلْناكَ وَما ...)

,We have not set thee as a keeper over them"

(nor art thou responsible for them."(٢

(...البَلاغُ اِلاَّ الرَّسُولِ عَلَى ما )

(The duty of the messenger is only to convey (the message)."(٣"

كَفُوْراً( وامّاَ شَاكِراً اِمَّا السَّبِيْلَ هَدَيْنَاهُ اِنَّا )

,Lo! We have shown him the way“

(whether he be grateful or disbelieving.”(۴

(...فَلْيَكْفُرْ شاءَ مَنْ وَ فَلْيُؤْمِنْ شاءَ فَمَنْ رَبِّكُمْ مِنْ الْحَقُّ قُلِ وَ )

Say: (It is) the truth from the Lord of you (all). Then whosoever will, let him believe,“ (and whosoever will, let him disbelieve.”(۵

**Reply**

In the face of verses that the skeptic cited to negate the dominance and authority of the Messenger of God and the lack of necessity of obeying him are verses that are contradictory with the first group of verses on account of the skeptic’s wrong understanding of it. Let us cite

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۱- Surah al-Ghashiyah ۸۸:۲۱-۲۲.

۲- Surah al-An‘am ۶:۱۰۷.

۳- Surah al-Ma’idah ۵:۹۹.

۴- Surah al-Insan (or, ad-Dahr) ۷۶:۳.

۵- Surah al-Kahf ۱۸:۲۹.

:some of these verses

اللهُ قَضَى اِذا مُؤمِنَةٍ لا وَ لِمُؤْمِنٍ كانَ وَمَا

...أمْرِهِم مِنْ الخِيَرَةُ لَهُمُ يَكُونَ أنْ أمْراً رَسُوْلُهُ و

And it becometh not a believing man or a believing woman, when Allah and His“ messenger have decided and affair (for them), that they should (after that) claim any (say in their affair.”(۱

The above verse categorically points out the need to obey and submit to God and His Messenger, giving a reminder that the believers have no right to refuse obeying and

.following the Messenger of God

إِنَّمَا وَلِيُّكُمُ اللَّهُ وَرَسُولُهُ وَالَّذِينَ آمَنُوا الَّذِينَ يُقِيمُونَ الصَّلَاهَ وَيُؤْتُونَ الزَّكَاهَ وَهُمْ رَاكِعُونَ

Your friend can be only Allah; and His messenger and those who believe, who“ (establish worship and pay the poor due, and bow down (in prayer).”(۲

(...أنْفُسِهِمْ مِنْ بالْمُؤْمِنِينَ أوْلى النَّبِيّ )

(The Prophet is closer to the believers than their selves.”(۳“

Which of the verses cited we should take as preeminent in the sense of having guardianship [wilayah]? And which is to be taken to mean more deserving? In both cases the verses substantiate the fact that the Prophet’s right of decision-making for .the people prevails over their right of decision-making for themselves

All exegetes of the Qur’an [mufassirin] acknowledge this point, and on this basis, the people should prefer the decision of the Prophet over their own decision, having no .right to oppose his decision and view

Of course, the verse only expresses the principle of guardianship of the Messenger of God (S). It does not express the limit of the guardianship—whether the limit of



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۱- Surah al-Ahzab ۳۳:۳۶.

۲- Surah al-Ma’idah ۵:۵۵.

۳- Surah al-Ahzab ۳۳:۶.

guardianship and the preeminence of the Prophet’s decision over that of others are .social affairs, or apart from being social they are personal affairs as well

Undoubtedly, it is not expected from the skeptics who have cited the first group of Qur’anic verses to negate the guardianship of the Messenger of God and his successors (‘a) to give answer to the apparent contradiction between the two groups of Qur’anic verses. So many of them are either unaware of the existence of the

.second group of verses or do not accept the substance of these verses

Yet, since we do not believe in the existence of contradiction and inconsistency among the verses of the Qur’an, we should try to remove the apparent contradiction of the verses. For this important endeavor we shall scrutinize the context of both groups of verses by taking into consideration the preceding and succeeding verses as well as the purport of the verses and their addressees so that we could comprehend .the real contents of the verses as a whole

### The Reason behind the Difference between the Two Approaches in the Qur’an

Once we scrutinize the verses in both the first and second groups, we will realize that the purport and expression of the verses are different from one another. The first set of verses is pertaining to those who have not yet embraced Islam. As such, God wants to enlighten them on the truths of Islam, describing in detail the benefits to be .accrued from submitting to Him

Since God knows that the Prophet, who is the embodiment of



divine mercy and compassion, is worrying for the people lest they refused accepting Islam in the way of truth and submitting to God and as a result they would be thrown to the hellfire, He is consoling him—“Why are you putting in danger your life for the grief and sorrow you have for the people’s refusal to embrace the faith? We revealed Islam so that the people accept it out of their own decision and freewill. Otherwise, if :”We wanted so, We have the power to guide all the people

( وَ لَوْ شاءَ رَبُّکَ لَآمَنَ مَنْ فِی الاَرْضِ کُلُّهُمْ

جَمِیْعاً أَفَأَنْتَ تُکْرِهُ النّاسَ حَتّی یَکُونُوا مُؤْمِنِینَ )

And if thy Lord willed, all who are in the earth would have believed together. Wouldst“ (thou (Muhammad) compel men until they are believers?”(1)

The aim of God in sending the messengers (‘a) is to guide the people in recognizing

the truth and the path of their felicity. Then, it is for them to accept the religion of truth out of their freewill. It is not that God would forcibly and compulsorily ask the people .to embrace the faith

The faith that emanates from compulsion and imposition has no value and it is not harmonious with human training [tarbiyyat-e insani]. Human training aims that out of cognition and awareness, man would understand and accept the truth, and not that :he would be forced to submit to it. As such, God says

( لَعَلَّکَ بَاخِعٌ نَفْسَکَ أَلاّ یَکُونُوا مُؤْمِنِینَ * إِنْ نَشَأْ نُنَزِّلْ

( عَلَیْهِمْ مِنَ السَّماءِ آیَهً فَظَلَّتْ أَعْناقُهُم لَها خاضِعِینَ



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.Surah Yunus ۱۰:۹۹ -۱

It may be that thou tormentest thyself (O Muhammad) because they believe not. If" We will, We can send down on them from the sky a portent so that their necks would (remain bowed before it."(۱

Thus, the pillar of Islam and faith lies on this belief in the heart and such a belief stems from cognition and awareness, sound and solid proofs, and freewill, and it is not .acquiescent to coercion

On this basis, God says to His Prophet: "You have performed your duty. Your duty is to convey the message and the divine signs to the people. Do not worry anymore about the polytheists not embracing the faith. You are not supposed to imagine that you have not done your mission. It is not part of your mission to compel the people to become Muslims because We have made you dominant over the unbelievers that you ".would compel them to become Muslims

In opposite of the first group of Qur'anic verses, the second group of verses is

addressed to those who have accepted Islam out of their own cognition, awareness and freewill. They are reminded to perform the precepts of Islam, to obey the Prophet whom they believe is inspired by God and his decrees and orders as all coming from God, to submit to his submission, and that they do not have the right to choose and .select with respect to his orders

Prior to embracing the faith, man has the right to choose, but after embracing the



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۱- ۳-۴:۲۶ Surah ash-Shu'ara'.

faith, he must obey all the ordinances. Anyone who believes in only a part of the divine :decrees has hardly earned the pleasure of God

إِنَّ الَّذِينَ يَكْفُرُونَ بِاللَّهِ وَرُسُلِهِ وَيُرِيدُونَ أَنْ يُفَرِّقُوا بَيْنَ اللَّهِ وَرُسُلِهِ وَيَقُولُونَ نُؤْمِنُ بِبَعْضٍ وَنَكْفُرُ بِبَعْضٍ وَيُرِيدُونَ أَنْ يَتَّخِذُوا بَيْنَ ذَلِكَ سَبِيلاً

...حَقّاً الكافِرُونَ هُمُ أولِئِكَ ❊

Lo! those who disbelieve in Allah and His messengers, and seek to make distinction" between Allah and His messengers, and say: We believe in some and disbelieve in others, and seek to choose a way in between. Such are disbelievers in truth."(۱)

Acceptance of some decrees and denial of the others, acceptance of some laws and rejection of the others in reality means lack of acceptance of the essence of religion because if the criterion of the acceptance of religion is the dictum of God, one must observe the core of the divine order, and the divine order is directed toward the acceptance of all decrees and laws, even if the criterion of accepting the religion is the interests and evils that God informed them of and has noted in His orders. Undoubtedly, God is cognizant of what is good and what is bad; so, why do they ?accept only some decrees

Thus, one who has believed in God is he who also believes in His Prophet, obeys his decision, decree and directive, is pleased with God and the Prophet, and does not

:nurse ill-feeling against them

فَلَا وَرَبِّکَ لَا یُؤْمِنُونَ حَتَّیٰ یُحَکِّمُوکَ فِیمَا شَجَرَ بَیْنَهُمْ ثُمَّ لَا یَجِدُوا فِی أَنْفُسِهِمْ حَرَجًا مِمَّا قَضَیْتَ



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۱- Surah an-Nisa' ۴:۱۵۰-۱۵۱.

وَیُسَلِّمُوا تَسْلِیمًا

"But nay, by thy Lord, they will not believe (in truth) until they make thee judge of what is in dispute between them and find within themselves no dislike of that which thou decidest, and submit with full submission."(۱)

It shows that the true believer is pleased in his heart with respect to the order and decision of the Messenger of God (S), having no worry at all for the reason that he believes that he (the Prophet) is sent by God and his decree is the decree of God; he does not ill speak of him either:

( انّا أنْزَلْنا اِلَیْکَ الکِتابَ بِالحَقِّ لِتَحْکُمَ بینَ النّاسِ بِما اَراکَ اللهُ )

"Lo! We reveal unto thee the Scripture with the truth, that thou mayst judge between mankind by that which Allah showeth thee." (۲)

A person who, after accepting Islam and believing in it, would say, "I am free in obeying the laws of Islam; if I want, I will do, and if I do not want I will not," is similar to this one: In a country where a democratic and liberal system is governing, the people would voluntarily participate in the referendum, and through their votes they select their own representatives and officials of the social system. But once the legitimate government came to power, they would evade from doing it!

Once that government obliged the people to pay their taxes, they would say, "We will not pay taxes; we were free in accepting the principle of government and in voting



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.Surah an-Nisa’ ۴:۶۵ -۱

.Surah an-Nisa’ ۴:۱۰۵ -۲

for it; now we are also autonomous in obeying its orders or to defy its orders.” .Certainly, no rational person will ever accept such a behavior and conduct

Yes, in the beginning no one is forced to accept Islam because basically, the pillar of Islam lies on faith and conviction of the heart. Through force, one cannot believe in Islam, God and the hereafter. But once he accepted Islam and he is asked to perform his prayers, if he would say that he will not pray; or when he is asked to pay zakat(۱) he would refuse to pay, no rational being will ever believe that he really accepted Islam. Is it possible for a person to have accepted a religion, yet he would not submit ?to its laws and act according to his own desire

Whoever accepts Islam should obey its laws in the same manner that a government will not accept that a person would vote for it, but in practice he would refuse accepting its laws and regulations. Commitment to pledges and responsibilities is the quintessence of social life. If there were no word of honor, commitment to pledge, .promise and covenant, and performance of duty, social life would never take form

Therefore, there is no point for a person to say that he does accept Islam and believe in the Prophet as the Messenger of God, but does not obey his orders and does not accept his (the Prophet’s) guardianship and sovereignty over himself. Indisputably, there is a vivid



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Zakat: the tax levied on various categories of wealth and spent on the purposes -۱ [.specified in Qur’an, ۹:۶۰. [Trans

contradiction in accepting Islam and the Messenger of God, on one hand, and lack of .fellowship to the Prophet, on the other

It is clear that if we honestly took a look at the verses of the Qur’an, scrutinizing the

connotation, context and purport of the two groups of verses cited above, contradiction in the Qur'an would never be found. The doubt on the incompatibility of obedience and submission to others with the principle of man's freedom—which the Qur'an also has sanctioned—would be uprooted.

But ailing hearts do not approach the Qur'an in sincerity, truthfulness and fairness. Even if they happened to consult the Qur'an, it is only to look for pretext for their flimsy and deviant idea. And as such, in studying the verses of the Qur'an, they engage in selectively picking up verses or part of verses without taking into account their purport and connotation.

According to the injunction of the Qur'an, they ignore the clear revelations [muhkamat] of the Qur'an and engage in following the allegorical ones [[mutashabihat]]:

الفِتْنهِ ابْتِغاءَ مِنْهُ تَشابَهَ ما فَيَتَّبِعُونَ زَيْغٌ قُلُوبِهِمْ فی الّذینَ فَأمّا ...)

(...وَابْتِغَاءَ تَأْوِيلِهِ ۗ وَمَا يَعْلَمُ تَأْوِيلَهُ إِلَّا اللَّهُ ۗ وَالرَّاسِخُونَ فِي الْعِلْمِ

"But those in whose hearts is doubt pursue, forsooth, that which is allegorical seeking (to cause) dissension by seeking to explain it. None knoweth its explanation save Allah and those who are of sound instruction."(1)

Beyond following the allegorical ones, some people dissect and mutilate the verses and select a statement while taking out the proceeding and succeeding portions. Then,

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۱- Surah Al 'Imran ۳:۷. The whole verse is as follows: "He it is Who hath revealed unto thee (Muhammad) the Scripture wherein are clear revelations [muhkamat]. They are the substance of the Book and others (which are) allegorical [mutashabihat]. But those in whose hearts is doubt pursue, forsooth, that which is allegorical seeking (to cause) dissension by seeking to explain it. None knoweth its explanation save Allah and those

who are of sound instruction who say: 'We believe therein; the whole is from our Lord; but only men of understanding really heed.'"

they imagine that the verses of the Qur'an are contradicting one another!

As it has been discussed, without taking into account the purport and discourse of the Qur'anic verses, they conformed their doubt on the inconsistency of the guardianship and dominance of the Prophet and the divine authorities with the principle of man's freedom to some verses. We have stated earlier that the verses whose purport is the lack of dominance of the Messenger of God over the people are addressed to the unbelievers prior to the acceptance of Islam as the Messenger of God does not have dominance over them and cannot invite them to Islam by force.

In reality, based on the verses, freedom of action and freewill in accepting the divine orders is prior to the jurisdiction of Islam. Otherwise, after the jurisdiction of Islam, every Muslim must accept the guardianship and dominance of the Prophet and the divine authorities; he is duty-bound to observe the Islamic values.

Although the Islamic government does not interfere in the personal and private life of individuals and in issues that take place in secret, in relation to the social life and in interacting with one another everybody is obliged and duty-bound to observe the divine limit. He should sternly resist against transgression upon the sanctuary of divine values, insult to the religious sanctities, and engagement in debauchery and indecencies.

This in fact is a showcase of the guardianship of the Islamic authorities over the individuals constituting the society who persuade them

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so as to be equipped with the amenities of faith and Islam—Islam which they have voluntarily chosen.

## Doubt ۴: The imposition of limitations in actions is against the demand of the natural law

There is a set of natural and inborn rights, which are above the law and no lawmaker .has the right to set limit on

Among these rights, for example, the freedom to choose one's residence can be cited. This means that man is free to live in any city and place he likes and no one can prevent him in doing so—as to why he has bought a house in a certain place and has .chosen residence

Another example is the freedom to choose one's occupation, which means that everyone is free to choose whatever occupation he likes and no law can condemn him as to why he has chosen a certain occupation. Similar is the case of freedom in choosing a spouse, meaning that man is free to choose as his spouse and marry anyone whom he likes, and no law can prevent him from choosing the spouse whom .he likes

**Reply**

Let us pose this question to anyone who raises this doubt: Which does he mean, these rights are indeed absolutely and unconditionally fixed for individuals, or there are existing laws related to them? If he says that there are existing laws related to them, then he has blemished his own claim because in principle the spirit and nature of .enactment of law is nothing but setting red line and imposing limitations

But if he chooses the first line of argument and says that

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there are no existing law, condition and requisite in relation to them, the problem is that in practice such a thing is impossible. For instance, one of the rights that is said to be above the law is the right to be free. Yet, is there a single country in which there is absolute, unconditional and unrestrained freedom and the individuals are free to do .whatever they like? In essence, the social system cannot tolerate such a thing

If there were no law in the society and law did not fix the limit and boundary for the action of human beings, everything would disintegrate and the social system would

cease to exist. If all these freedoms are above the law as it is claimed, then we have the following: right for residence, right for occupation, right for spouse, right to freedom of expression, etc. Is there anyone in the world who, under the pretext of freedom of expression, has the right to vilify and pour scorn on others?!

Is there anyone in the world who, under the excuse of freedom to choose residence, has the right to usurp the house and land of people and to dwell therein?! Is there anyone in the world who, under the ploy of freedom to choose a spouse, has the right to marry his own mother or sister?!

Therefore, those who claim that there are rights that are above the law are themselves not bound by this basis and do not allow the lawmaker to determine

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limits and boundaries as well as conditions and requisites regarding them. This is a contradiction they are facing, and its solution is for them to abandon this claim because taking out the limits and boundaries in the social conduct, as what we have said, is impossible and leads to chaos and the disintegration of the system.

### Doubt ۵: Religion cannot impose limit on freedom.

Freedom is above religion and religion cannot create limitations for the freedom of human beings and through its laws it cannot deprive the people of benefiting from freedom.

### Reply

In reply to the previous skepticism, it was clear that the essence of law is the setting of limitation. As it comprises of social and political laws, religion also regulates and restricts the social and political actions of man, ordering that those actions must be done within their particular framework.

If religion means other than this, what is the purpose behind its existence? If religion is meant for this that every person can behave in whatever way he likes, then what is

?the status of religion? What is the station of religion

The existence of religion and law has no other sense except setting limit on the freedoms of man. Thus, that which is said that freedom is above religion is nonsense. Yes, it is possible that there are those who, in the name of religion, wanted to put restriction on the legitimate freedom of people, and wanted to prohibit that which has .been made lawful by God through superstitions and ethnic customs

For example, unfortunately

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there are still some ethnics and tribes in this and that corner of our country that prohibit some of those made lawful by God. In the same manner, in the culture of our present society some of those made lawful by God are considered abominable. Had it not been the case, many of the sexual corruptions in the society could be prevented. :The Commander of the Faithful ('a) said

شَقِیّ اِلاّ زنی ما الْمُتْعَهِ فِی الخَطّابِ ابْنِ مِن سَبَقَ لَوْلا

Had ('Umar) ibn al-Khattab not prohibited fixed-time marriage [mut'ah],(۱) no one" (would ever commit adultery and fornication [zina] except a wretched person."(۲

Regrettably, in our culture this thing made lawful by God, which is a key solution for many problems, is still considered abominable. Yes, if there are those who under the name of religion wanted to declare lawful those that are made unlawful by God, this act is abominable. Apart from being abominable, it is also unlawful [haram] and it is a kind of religious innovation [bid'ah]. The same is true for its opposite. Forbidding the :lawful is also an innovation

بِعَزائِمِهِ یُؤْخَذَ اَنْ یُحِبُّ کَما بِرُخصِهِ یُؤْخَذَ اَنْ یُحِبُّ الله انَّ

Verily, God loves the people to benefit from the permissible [mubahat] and lawful" [halal-ha] things just as He loves them to perform the compulsories [wajibat] and shun (the unlawful [muharramat] things."(۳

Thus, under the name of religion, or under the name of tribalism or local, ethnic and clannish prejudices nobody has the right to declare unlawful some of those made .lawful by God

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For information on the issue of mut'ah, see, among others, Sayyid Muhammad - ۱ Husayn Tabataba'i, Al-Mizan: An Exegesis of the Qur'an, trans. Sayyid Saeed Akhtar Rizvi (Tehran: World Organization for Islamic Services, ۱۹۹۲), vol. ۸, under the commentary on Qur'an ۴:۲۴, pp. ۱۰۴-۱۱۱; Sayyid 'Abdul-Husayn Sharafuddin Musawi, Questions on Jurisprudence, trans. Liyakatali Takim (Ontario: Hydery Canada Ltd., ۱۹۹۶), chap. ۴, http://www.al-islam.org/masail/۴.htm; [۱۷] Sachiko Murata, "Temporary Marriage in Islamic Law," Al-Serat ۱۳, no. ۱, http://www.al-islam.org/al-serat/al-serat_muta/title.htm [۱۸]. [Trans.]

.Sharh Nahj al-Balaghah Ibn Abi'l-Hadid, vol. ۱۲, p. ۲۵۳ -۲

.Bihar al-Anwar, vol. ۶۹, p. ۳۶۰ -۳

In the same manner, setting limits on freedoms is unlawful and an innovation. No one .is amenable with these

But if what is meant by "freedoms" is the illegitimate freedoms, naturally no one is !expecting also that religion would not oppose illegitimate freedoms

### .Doubt ۶: Servitude is against the demand of the natural disposition [fitrah] of man

As it is known to you, in the past human societies the system of slavery was prevalent. Through trick and force, they used to transport some people from far distance .regions and force them to work as slaves in their own countries

These people who were deprived of the rights of citizenship used to work in the farms .and factories of their masters

In the system of slavery racial discrimination and exploitation of the weak classes were exemplified in the worse manner. Such a system is inconsistent with the human spirit and nature. And all people strongly detest being slaves and servants of other

.people

Slavery or being a servant in general is blameworthy, and thus, man should not be a .slave by even God

**Reply**

That this statement is contradictory with our religious teachings is very clear. The :"Holy Qur'an mentions the human beings as "servants of God

( بِالْعِبادِ رَؤُفٌ اللهُ وَ ...)

(And Allah hath compassion on (His) bondmen."(١"

( لِلْعِبادِ ظُلْماً يُرِيدُ اللهُ ما وَ )

(And Allah willeth no injustice for (His) slaves."(٢"

God, the Exalted, calls the most beloved and noble of human beings, namely, the :[Eminent Prophet of Islam, Hadrat Muhammad (S) as 'servant' ['abd

الْمَسْجِدِ اِلَى الْحَرامِ الْمَسْجِدِ مِنَ لَيْلاً بِعَبْدِهِ أسْرى الَّذى سُبْحانَ )

( البَصِيرُ السَّمِيعُ هُوَ اِنَّهُ

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١- Surah al-Baqarah ٢:٢٠٧.
٢- Surah al-Ghafir (or al-Mu'min) ۴٠:٣١.

اياتِنا مِنْ لِنُرِيَهُ حَوْلَهُ بارَكْنا الَّذى الأقْصَى

Glorified be He Who carried His servant by night from the Inviolable Place of Worship" to the Far Distant Place of Worship the neighbourhood whereof We have blessed, (that We might show him of Our tokens! Lo! He, only He, is the Nearer, the Seer."(١

Equally, those who acquired sublime stations of humanity and reached the status of

the “soul in peace” [nafs al-mutma’innah] are called ‘servants’ [‘ibad] and are included in the rank of the special servants of God:

* مَرْضِيَّةً راضِيَةً رَبِّكِ اِلى ارْجِعى * الْمُطْمَئِنَّهُ النَّفْسُ أَيَّتُهَا يا )

( جَنَّتى ادْخُلى وَ * عِبادى فى فَادْخُلِى

“But ah! thou soul at peace!

Return unto thy Lord, content in His good pleasure!

Enter thou among My bondmen!

Enter thou My Garden!”(2)

Therefore, in the culture of the Holy Qur’an, to be a ‘servant of God’ is not only not blamable and contemptuous but rather a badge of honor and nobility. After excessive acts of worship, His Holiness the Commander of the Faithful (‘a) used to humbly bow down in prostration and utter:

رَبّاً لى تَكُونَ اَنْ فَخْراً بى كَفى وَ عَبْداً لَكَ اَكُونَ اَنْ عِزّاً بى كَفى اِلهى

“O God! It is an enough honor that I am you servant and it is an enough poverty that Thou art my Lord.”(3)

As such, in the culture of the Ahl al-Bayt(4) (‘a) to be a servant does not indicate the abjectness and meanness of man. From the viewpoint of the Qur’an and the Sunnah [Prophetic tradition], servitude to God is the highest honor



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1- Surah al-Isra’ 17:1.
2- Surah al-Fajr 89:27-30.
3- Bihar al-Anwar, vol. 77, p. 400.
4- Ahl al-Bayt: according to authentic hadiths recorded in both the Sunni and Shi‘ah sources, the term Ahl al-Bayt, and interchangeably Itrah and Al, is a blessed Qur’anic

appellation that belongs exclusively to the Prophet, 'Ali, Fatimah, Hasan, and Husayn ('a). The members of this Family of five, with the Prophet Muhammad (S) at its head, were the ones alive at the time the Qur'anic verses regarding their virtue were being revealed to the Prophet (S). However, nine other Imams from the descendants of Imam al-Husayn ('a) are also in this chosen Family, the final one being Imam al-Mahdi [.('a). For further information, visit: http://www.al-islam.org/faq [١٩]. [Trans

for man. Yet, in order to remove the doubt, we shall deal with the issue in detail. You know that belief in monotheism [tawhid] means belief in the One True God Who is the .Cherisher and Sustainer [rabb] of all the worlds

( الْعالَمِينَ رَبِّ لِلهِ الْحَمْدُ )

(Praise be to Allah, the Cherisher and Sustainer of the Worlds."(١"

( عِبادُكَ فَإِنَّهُمْ )

(Lo! They are Thy slaves."(٢"

It is the foundation of all divine religions, and all the heavenly scriptures have emphatically enjoined it. The need for the human beings to obey God, apart from the narrative proofs and devotional testimonies expressed in the Qur'an and the Prophetic tradition, has also philosophical evidence. Its philosophical evidence is ".based on the "ought to be" deduction from the "being

:The explanation of these "beings" is of two kinds

beings" that can be deduced as "ought-to-be's" and" (١)

".beings" that cannot be deduced as "ought-to-be's" (٢)

Expressing the difference between the two requires a precise scientific and technical study, which is beyond our concern. What can be stated well here is that when in a logical analogy a passage of "beings" is the absolute cause of a phenomenon in the passage of "ought-to-be's", in reality this kind of drawing a conclusion is the deduction of "effect from cause." But if the one located at the side of "beings" is not "absolute

cause", the effect cannot be deduced from the cause because in case of the existence of the absolute cause, the effect finds its



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.Surah al-Fatihah ۱:۲ -۱
.Surah al-Ma'idah ۵:۱۱۸ -۲

necessity of existence. In this manner, it can be said that the effect has the deductive .necessity [wujub-e bi'l-qiyas] with respect to the absolute cause

Now, that we say that man is the servant and slave of God (passage from the group of "beings") is the absolute cause for the reason that man must obey God (passage from the group of "ought-to-be's"). God, the Exalted, has created our material and physical .existence and has breathed us of His spirit

In addition, He has endowed us with innumerable blessings such as air, water, food, bodily members, power to think, and everything that is related to the life of man. The .ownership of God to these material and immaterial blessings cannot be negated

Therefore, God is the Owner and Grantor of all our existence and blessings, which we use for our own subsistence, growth and perfection. Now that our Master is God and that we are His servants and slaves, on the basis of the dictate of reason that "the ",owner can occupy his possession in whatever manner he likes

He has the right to "appropriate" us in any manner, and we should be subservient and obedient to Him, for quintessentially we are nothing. In the system of slavery the slave has the ability to oppose. He can escape from the clutches of his master. He can .be sold to another master or be turned over to another

Such things can be materialized in the "delegated ownership" [malikiyyat-e i'tibari]. This is in contrast with

the “real ownership” [malikiyyat-e haqiqi] in which assuming such affairs in regard to it is impossible and unattainable. God cannot take away the ownership of His servants from Himself or delegate them to others.

Of course, this “incapability” is not on account of impotence and inability. Instead, basically, such an act cannot intrinsically pertain to power. Just as God cannot annihilate Himself or commit suicide, one cannot imagine Him also to be not the “Owner” of His servants and the human beings to be not His “servants” for only a moment.(۱)

In other words, the label “Creator” [khaliq] for God and “creature” [makhluq] for the human beings and other beings are eternal and perpetual appellations.

To assume that He dismissed man from being an intrinsic “servant” is a contradiction, for its meaning will be this: that man both exists and is His servant, and does not exist and not His servant.

The existence [mawjudiyyah] of every being [mawjud] is like that of ‘creatureship’ [makhlukiyyah], servanthood [mamlukiyyah] and servitude [‘ubudiyyah], and our servitude in relation to God can never be cut off in the same manner that the light cannot be assumed to have no brightness, or the fire be regarded as having no heat.

**“Real Ownership” [malikiyyat-e i‘tibari] and “Delegated Ownership” [malikiyyat-e i‘tibari]**

What we said about the impossibility of negating the “master and servant” [malik wa mamluk] relationship between God and man is related to the “real and intrinsic ownership or mastership” [malikiyyat-e haqiqi wa takwini]. As what we have indicated, ownership or mastership is classified into two:

(۱) “real



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۱ - For concise information about this issue on the essential attributes of God, see Sayyid Saeed Akhtar Rizvi, God: An Islamic Perspective (Tehran: World Organization

for Islamic Services, ١٩٩٨), http://www.al-islam.org/god-an-islamic-perspective/ [٢٠]
[.[Trans

and intrinsic ownership or mastership” [malikiyyat-e haqiqi] and

.[delegated ownership” [malikiyyat-e i‘tibari“ (٢)

The concept of “ownership or mastership” [malikiyyah] among the human beings is a “delegated affair” [amr-e i‘tibari]. For example, by giving an amount of money, I will become the owner of a garment. That is to say that a contract between me and the garment’s owner will be forged in the basis of which by giving a certain amount of money on my part, the garment will belong to me and I will become its owner while the other person will own the money. I can do whatever I like to the garment. For instance, I would sell it and give it to somebody. Such an affair is the demand of my ”.“ownership

When a person has a delegated or contractual ownership, he can expropriate in various ways that one he owns. Of course, man has also intrinsic ownership [malikiyyat-e takwini], which in comparison to the intrinsic ownership of God in relation to all the worlds is so weak; for example, man’s ownership of his own will, or man’s ownership with respect to the “intellectual being” [mawjud-e dhihni] he has envisaged in his mind. Man can wish for and imagine a thing anytime he likes and not .wish for and imagine it at another time

In these two examples, albeit man has intrinsic ownership, it is yet different from the “intrinsic and real ownership of God” because the existence of man and his will and imagination are all creatures

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of God. In spite of it, man has the diverse capabilities to expropriate them. Thus, through the primary way, God, Who is the “Real Owner” [malik-e haqiqi] and the “Cherisher and Sustainer of all the worlds” [rabb’ul-‘alamin], can expropriate His .creatures in any fashion

Some of the concepts used in the social life and particular cases sometimes experience expansion-oriented shift and are also used beyond the social life. Now, if the previous value-laden one is used in a new circumstance, a fallacy has been .committed

Concerning our discussion, the slavery of man by another man, which existed in the past social system, is laden with a negative value, but the slavery of man in relation to God is, apart from being negatively value-laden, is laden with the highest positive value, for it is under the auspices of servitude to God that man can attain his ultimate :perfection and be included among those who are thus addressed by God

( عِبادی فی فَادْخُلِی )

(Enter thou among My bondmen!"(۱"

God, the Exalted, addresses as "servant" ['abd] His most beloved servant, namely, :(Hadrat Muhammad (S

الْمَسْجِدِ اِلَی الْحَرامِ الْمَسْجِدِ مِنَ لَیْلاً بِعَبْدِهِ أسْری الَّذی سُبْحَانَ )

( البَصِیرُ السَّمِیعُ هُوَ اِنَّهُ آیاتِنا مِنْ لِنُرِیَهُ حَوْلَهُ بارَکْنا الَّذی الأقْصَی

Glorified be He Who carried His servant by night from the Inviolable Place of Worship" to the Far Distant Place of Worship the neighbourhood whereof We have blessed, (that We might show him of Our tokens! Lo! He, only He, is the Nearer, the Seer."(۲

One cannot accept God as the Supreme Being



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.Surah al-Fajr ۸۹:۲۹ -۱

.Surah al-Isra' ۱۷:۱ -۲

while not regarding himself bound by servitude to Him. According to this outlook on .servitude, man is the servant of God and obedience to Him is obligatory on man

## The Requisite of Divine Godhood as Cosmic and Religious Lordship

The requisite of acknowledging the existence of God is acknowledgment of one’s servitude to Him and the requisite of acknowledging one’s servitude to God is total obedience to His decrees. In other words, the requisite of divine Godhood is cosmic .[Lordship [rububiyyat-e takwini] and religious Lordship [rububiyyat-e tashri‘i

Some believe that God created the universe, but has abandoned it and has no hand in its management; the management of the universe and its internal evolution is done !mechanically

These people do not believe in the cosmic Lordship of God in relation to the universe. They do not know the scope of monotheism [tawhid], for monotheism in its true sense, which all the heavenly religions and divine prophets have enjoined, is a :monotheism consisting of three pillars

(۱) Divine Godhood [Uluhiyyat-e Ilahi],

(۲) cosmic Lordship, and

(۳) religious Lordship.

In conclusion, the monotheism of anyone, who believes in the godhood of God but .denies the cosmic or religious Lordship of God, is problematic

According to the Holy Qur’an, God is not only the Creator of the universe, but also the Cherisher and Sustainer of the worlds [rabb’ul-‘alamin], and the universe is evolving :and revolving continuously by His will

يَسْأَلُهُ مَنْ فِي السَّمَاوَاتِ وَالْأَرْضِ ۚ كُلَّ يَوْمٍ هُوَ فِي شَأْنٍ

“All that are in the heavens and the earth entreat Him. Every day He exerciseth

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(universal) power.”(۱)

.قالبها ریزد فرو ، آنی کند نازی اگر

".Once He demurs, the moulds would collapse"

The requisite of accepting the cosmic Lordship is the belief in the religious Lordship; .that is, belief in the fact that whatever God has enjoined must be obeyed

If we believed in the first level of monotheism [tawhid], that is, the Godhood of the One God, we have become nearer to His truth and felicity. Then, if we accepted that God has also cosmic Lordship and that the management of the universe is solely under His will, we become a little bit nearer to the truth and the reward for our deeds becomes more. In the end, if we also believed in "monotheism in worship and .obedience" we have become further nearer to His felicity

One who believes in these three [levels of] monotheism is so different with a person .who does not believe in God at all or a polytheist

The former believes in all the levels of monotheism while the latter does not believe at all in the existence of God, let alone having accepted "monotheism in Lordship" or "monotheism in obedience." The former is in the highest stage of bliss and human .perfection while the latter is in the lowest ebb of wretchedness

Perhaps, the initial notion of all of us is that the one who denies God and does not accept any of the levels of monotheism is the farthest than anybody else to the divine mercy and will be doomed to



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.Surah ar-Rahman ۵۵:۲۹ -۱

perdition and chastisement while the one who believed in at least one of the levels of monotheism—for example, monotheism in the creative power—is to the same extent .near to felicity and perfection

By referring to the Holy Qur'an, the incorrectness of this notion will become clear.

According to the Holy Qur’an, only the one who believes in all the levels of monotheism (that is, monotheism in the creative power, monotheism in the cosmic Lordship, and monotheism in the religious Lordship) will attain eternal bliss and salvation. The totality of these beliefs has been incorporated in the expression, “There .[is no god but Allah” [La ilaha illallah

Even the belief in two of the levels of monotheism (monotheism in the creative power and monotheism in the cosmic Lordship) will not cause the salvation and felicity of anyone. In other words, the state of such a person will be no better than the one denying God. The best evidence for this matter is the account of Iblis’s (Satan) .disobedience, which the Qur’an recounts

We do not know of a being that is more unfortunate and wretched than Iblis in the world. But, was Iblis a denier of the existence of God? From his conversation with God it is clear that he has believed in the “creative power of God”, because in his reason for not prostrating before Hadrat Adam (‘a) he said: “Thou hast created me from fire and ”.created him (Adam) from clay

؟ أمَرْتُکَ إذ تَسْجُدَ

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ألاّ مَنَعَکَ ما قالَ

وَخَلَقْتَهُ مِنْ طِینٍ نارٍ مِنْ خَلَقْتَنی مِنْهُ خَیْرٌ أنا قالَ

He said: What hindered thee that thou didst not fall prostrate when I bade thee?“ (Iblis) said: I am better than him. Thou createdst me of fire while him Thou didst (create of mud.”(۱

Therefore, Satan acknowledges the creative power of God. Was Iblis a denier of the cosmic Lordship of God? In his conversation with God, he addressed the Divine Sacred Essence as “Lord” [rabb]. As such, Iblis believed in God as the One managing :the universe

قالَ رَبِّ بِما أغْوَيْتَنی لأُزَيِّنَنَّ لَهُمْ فِی الأرْضِ وَلَأُغْوِيَنَّهُمْ أَجْمَعِينَ

He said: My Lord, because Thou has sent me astray, I verily shall adorn the path of“ error for them in the earth, and shall mislead them every one.”(۲)

Was Iblis a denier of the Day of Judgment? The answer is negative. He requested respite from God till the Day of Resurrection:

( قالَ رَبِّ فَأَنْظِرْنی اِلی يَوْمِ يُبْعَثُونَ )

“He said: My Lord! Reprieve me till the day when they are raised.”(۳)

Was Iblis refusing to worship God? By referring to the words of His Holiness the Commander of the Faithful (‘a) in the Nahj al-Balaghah(۴) the answer to this question will become clear. Concerning the devotion of Iblis, he says:

وَ كانَ قَدْ عَبَدَ اللهَ سِتَّةَ آلافِ سَنَهٍ لا يَدْری أمِنْ

سَنِیِّ الدُّنْيا أمْ مِنْ سَنِیِّ الآخِرَهِ عَنْ كِبْرِ ساعَهٍ واحِدَهٍ

He nullified his great acts and extensive efforts on account of the vanity of one“ moment, although Satan had worshipped Allah for six

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۱- Surah al-A‘raf ۷:۱۲.

۲- Surah al-Hijr ۱۵:۳۹.

۳- Surah al-Hijr ۱۵:۳۶.

۴ - Nahj al-Balaghah (Peak of Eloquence) is a collection of speeches, sayings and letters of the Commander of the Faithful, Imam ‘Ali ibn Abi Talib (‘a) compiled by Sharif ar-Radi Muhammad ibn al-Husayn (d. ۴۰۶ AH/۱۰۱۶). Contents of the book concern the three essential topics of God, man and the universe, and include comments on scientific, literary, social, ethical, and political issues. Except the words of the Glorious Qur’an and of the Holy Prophet (S), no words of man can equate it in eloquence. So far, more than ۱۰۱ exegeses have been written on the Nahj al-

Balaghah, indicating the importance of this treatise to scholars and learned men of research and investigation. For more information, visit: http://www.al-islam.org/nahjul [.[۱۲]. [Trans

thousand years—whether by the reckoning of this world or of the next world is not (known."(۱

Now, the fundamental question is this: What was the cause of Iblis's misfortune? The answer is that he had problem with respect to the religious Lordship and he did not accept the "monotheism in the religious Lordship;" that is, the belief that only God has the right to enjoin and forbid (a thing) and all the orders of God must be obeyed .unconditionally

The problem of Iblis was not in the affairs such as monotheism in the creative power (of God), monotheism in the cosmic Lordship, worshipping God, and belief in the Day of Judgment. He believed in all these affairs, but the denial of the "religious Lordship .of God" subjected him to eternal damnation

Keeping in view of the subject just discussed, it becomes clear that man has "obligation" [taklif] in relation to God. The foundation of Islam also rests on the "duty-.centeredness of man." If the duty is taken away, nothing from Islam will be left

For instance, prayers and fasting are among the obligatory acts in Islam. If the duty is not present, it necessarily follows that these two affairs are not mandatory! Also, acts of tyranny and oppression are unlawful [haram]. If the base of duty is taken out, !oppressing others will become permissible

## Doubt ۷: The era of duty-centeredness has ended and the modern man is in pursuit of his rights

Some say: In view of the development and progress that have transpired in the various periods in the life of man as well as the new

1 - Nahj al-Balaghah, Sermon 191, known as al-Khutbah al-Khasi'ah (Sermon of Disparagement).

beliefs, outlooks, and intellectual and facility structures that have emerged for the modern human civilization, today religion must be in pursuit of expressing the rights of human beings, and not presenting duties and mandatory orders.

Since they were facing the system of slavery and the rule of force and despotism, the human beings of the past used to shoulder responsibilities and duties determined for them. Yet, now the age of slavery has ended, and the era of his sovereignty and divine vicegerency [khilafatullah] has arrived. Today's human being is not in pursuit of duty, but rather in pursuit of getting and exercising his rights.

Indeed, modernism and the new civilization have created a high wall between us and the human beings of the past who were subjects, slaves, servants, and beasts of burden for others. Therefore, the modern man has closed the book account of duty- and responsibility-centeredness—which belonged to the period of barbarism and intransigence—and is endeavoring to claim his rights.

Nowadays, talking about duty and performance of responsibility is retrogression and returning to the pre-modern era, and in this age, which is that of talking about human rights and by the blessings of democracy man has been delivered from slavery and exploitation, the time has come for the ancient religions, which emerged conducive for the age of slavery and concerned with duty and responsibility, to leave the scene, and we should formulate the new religion that talks about the rights of human beings.

**Reply**

That it can be said absolutely that today's



man is only in pursuit of right, and not duty, is a misleading and idle talk, for the philosophers of law also say: No right is ever established for a person unless a duty is realized reciprocally for others.

For example, if the right to have clean and unpolluted air for the citizens is established, the other citizens are duty-bound not to pollute the air. So, if all have the .right to pollute the air, the right to have clean air will become meaningless

By the same token, if a person has the right to expropriate his properties, the others must be obliged not to expropriate his properties; otherwise, the right to make use of .properties will not be actually realized

In the same manner, every right proved for a person necessitates a duty that he has with respect to others. If a person has the right to benefit from public utilities, he is reciprocally duty-bound to render public services, accept (public) responsibilities and .duties, and not be a burden for others

Therefore, right and duty require each other, and the statement that human beings .are only in search of right and do not accept duty is rejected

Considering the fact that all divine and non-divine scholars and philosophers of law in general do not negate responsibility and duty and in fact they acknowledge the existence of duty and commitment, we will find out that the "duty" referred to in the ".statements of the skeptics is the "divine duty

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spirit of their statements refers back to this point: God is not supposed to set a duty for us, or else, according to them also, it is escape from the social duties vis-à-vis rights that the individuals have, for these duties are accepted by all the wise men. What I have said is substantiated by the fact that they have unambiguously said that the mastership [mawlawiyyah] and servanthood ['ubudiyyah] relationship, the issuance of order on part of the master, and the need of obeying him are all .appropriate for the culture of slavery

## The Background of Those Who Rebelled against God

It is not only the modern man who does not bow his head in submission to God, religion and divine duties. In fact, many human beings throughout history, on account of the satanic insinuations, did not submit to the divine duties and threaded the path .of rebellion and lawbreaking

This statement that mankind is in pursuit of rights and not duties is not a new one. In fact, in the beginning Qabil (Cain), the rebellious son of Adam (Adam) ('a) obviously did not submit to the divine duty and rules, and under the aegis of lawbreaking and :(egotism, he murdered his brother Habil (Abel

وَاتْلُ عَلَيْهِمْ نَبَأَ ابْنَىْ آدَمَ بِالْحَقِّ إِذْ قَرَّبَا قُرْبَانًا فَتُقُبِّلَ مِنْ أَحَدِهِمَا وَلَمْ يُتَقَبَّلْ مِنَ الْآخَرِ قَالَ لَأَقْتُلَنَّكَ ۖ قَالَ إِنَّمَا يَتَقَبَّلُ اللَّهُ مِنَ الْمُتَّقِينَ

But recite unto them with truth the tale of the two sons of Adam, how they offered" each a sacrifice, and it was accepted from the one of them and it was



not accepted from the other. (The one) said: I will surely kill thee. (The other) (answered: Allah accepteth only from those who ward off (evil)."(١

The historical accounts of the divine prophets narrated in the Qur'an are indicative of the fact that most people considered their own prophet as a liar. Apart from not responding submissively to his prophetic call, they used to calumniate their own prophet, mock and deride him, and even murder him and drive him out of their own town. If a prophet would express a thoroughly important message for them and for :example, as the Qur'an describes, discourage them from practicing shortchanging

(...وَلَا تَبْخَسُوا النَّاسَ أَشْيَاءَهُمْ )

(And wrong not mankind in their goods."(٢"

:They would say to him

أَوْ آباؤُنا يَعْبُدُ ما نَتْرُکَ أنْ تَأمُرُکَ أصَلوتُکَ شُعَيْبُ يا قالُوا )

( الرّشيدُ الحَليمُ لأنْتَ اِنَّکَ نَشاءُ ما أمْوالِنا فی نَفْعَلَ أنْ

They said: O Shu‘ayb (Jethro)! Doth thy way of prayer command thee that we should“ forsake that which our fathers (used to) worship, or that we (should leave off) doing what we will with our own property. Lo! thou are the mild, the guide to right (behavior.”(۳

Here, it can possibly be said that what have happened throughout the history of the opposition and confrontation with the prophets and saints of God have been the result of idol-worship, polytheism and fellowship to the Satan, while our point is that mankind should remove from their neck the chain of slavery to any object of worship and reverence and also not follow idols and



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۱- Surah al-Ma’idah ۵:۲۷.
۲- Surah al-A‘raf ۷:۸۵.
۳- Surah Hud ۱۱:۸۷.

.the Satan

Yet, this argument from the true viewpoint and perspective of divine revelation is erroneous and idle, for from the viewpoint of divine revelation man is at the threshold of two paths of servitude: (۱) servitude to God and (۲) servitude to the taghut,(۱) and it .is impossible for him to be neither of the two types of servitude

If even one would chant a slogan that he is not the servant of anybody or anything, in reality he is the servant of the taghut and his carnal desire. On this basis, the Qur’an :thus states

اللَّهُ وَلِيُّ الَّذِينَ آمَنُوا يُخْرِجُهُمْ مِنَ الظُّلُمَاتِ إِلَى النُّورِ ۖ وَالَّذِينَ كَفَرُوا أَوْلِيَاؤُهُمُ الطَّاغُوتُ يُخْرِجُونَهُمْ مِنَ النُّورِ إِلَى الظُّلُمَاتِ ۗ

Allah is the Protecting Friend of those who believe. He bringeth them out of darkness“ into light. As for those who disbelieve, their patrons are false deities. They bring them out of light into darkness. Such are rightful owners of the Fire. They will abide (therein.”(۲

:Elsewhere in the Qur'an, God says

عَدُوٌّ لَكُمْ اِنَّهُ الشَّيْطانَ لاتَعبُدُوا اَنْ آدَمَ بَنى يا اِلَيْكُمْ اَعْهَدْ اَلَمْ

وَأَنِ اعْبُدُونِى  هَٰذَا صِرَاطٌ مُسْتَقِيمٌ مُبِينٌ *

Did I not charge you, O ye sons of Adam, that ye worship not the devil Lo! He is your" (open foe! But that ye worship Me? That was the right path."(٣

The purport of the verse is that after setting aside the worship of Satan, there is no need to obey and worship anyone else. Instead, the worship of God should be taken up just as in

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١- The term taghut applies to any idol, object, or individual that prevents men from doing what is good, and leads them astray. The term has been used eight times in the Qur'an. Prior to Islam, taghut had been the name of the one of the idols of the Quraysh tribe. This name is used also to mean the Satan. Moreover, the term is used to indicate one who rebels against lofty values, or who surpasses all bounds in his despotism and tyranny and claims the prerogatives of divinity for himself whether [.explicitly or implicitly. [Trans

٢- Surah al-Baqarah ٢:٢٥٧.

٣- Surah Ya-Sin ٣٦:٦٠-٦١.

the declaration of monotheism, the phrase "There is no god..." [La ilaha...] is followed .[by "...but Allah" [...illallah

Therefore, those who wakened up from the slumber of negligence through the manifestation of revelation have discerned that they should worship the Deity Who is their Creator and Real Master and on Whom depends the life and death, youth and old age, health and sickness. For them, servitude to Him is the ultimate honor. Those that He made obligatory have stemmed from the spring of the everlasting wisdom and mercy, and the performance of which will be the source of human felicity and

.perfection

We found out that the habit of refusing to accept God and aloofness from the performance of duties and responsibilities are the result of crooked training of man, brutish and bestial temperament, and fellowship to Satan, which have always existed in history and are not the monopoly of the modern man. In reality, it is this modern man who has desisted from utilizing the facilities of civility, sunk in ignorance and .savagery, and is the reactionary

In contrary, those who received training in the school [maktab] of the prophets ('a) have desisted from bestial temperament and savagery, and have embraced civility through the rule of law, acceptance of duties and responsibilities in their true sense, because civilization and civility are the opposite of savagery, and the basic requisite .and condition of which is the acceptance of law

So, how could some people afford to say that the modern civilization demands

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that man should not accept any responsibility?! Is this savagery or civilization? Basically, civilization is centered on the acceptance of limitations, law and the .assumption of responsibility; otherwise, it will have no difference with savagery

As such, anyone who refrains from accepting law, duty and assumption of responsibility, are prone to return to savagery and barbarity. Certainly, anyone who has this idea and disposition could never be noble and vicegerent of God [khalifatullah] to pose as the model for us. (It is necessary to note that the slogan of civility and law-orientation that has gained currency today in our society means the attainment of the .apogee of civility and pinnacle of law-orientation

It is not that a new event has happened, our society has been in savagery for the past ۱۹ years(۱) after the Revolution, and now it has adopted civility. It is not so. Basically, our Revolution took shape on the basis of the ancient Islamic civility and civilization. (.Among its principal mottos and aims is the observance of the divine law in all aspects

Again, in relation to the fact that the essence of the prophets' mission to the obedience to and worship of God and non-adherence to the taghut, God says:

(...وَلَقَدْ بَعَثْنَا فِی كُلِّ أُمَّهٍ رَسُولًا أَنِ اعْبُدُوا اللَّهَ وَاجْتَنِبُوا الطَّاغُوتَ  )

"And verily We have raised in every nation a messenger, (proclaiming): Serve Allah and shun false gods."(2)

Given this explanation, it cannot be accepted that the edifice of Islam is founded on disobedience to others including God.



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۱- That is at the time of delivering this series of lectures. [Trans.]

۲- Surah an-Nahl ۱۶:۳۶.

Essentially, any religion that does not call on us to obey God is a false one and the spirit of the mission of the prophets is absolute obedience to God, from Whom the entire world of being emanates, and Who is the Alpha and the Omega as well as the Real Master and Owner:

( راجِعُونَ اِلَیْهِ اِنّا وَ للهِ اِنّا )

"Lo! We are Allah's and Lo! Unto Him we are returning."(1)

Now, once we recognized God as the Real Master and Owner of the entire world of being, how can it be accepted that He has no right to issue order and decree to us? Is ownership nothing but the fact that the owner can expropriate what he owned in whatever manner he likes?

It is unacceptable that we claim to have accepted Islam but made ourselves free from the requisite of servitude to God, for this absolute freedom is not only condemnable from the religious viewpoint but the intellect cannot accept it as well.

Islam and religion are the harbingers of freedom, but it is the freedom and deliverance from the worship of and obedience to other than God and taghuts, and not deliverance from obedience to God. Albeit man has been created free and autonomous, he is religiously and legally duty-bound to obey God. That is to say that .out of his freewill he has to obey God

Essentially, in the realm of creation the seal of servitude and servanthood has been ,put on every phenomenon. Intrinsically



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.Surah al-Baqarah ۲:۱۵۶ -۱

no being has existed without the sign of servitude to God, and the existence of every :being exactly means servitude to Him

تُسَبِّحُ لَهُ السَّمَاوَاتُ السَّبْعُ وَالْأَرْضُ وَمَنْ فِيهِنَّ ۚ وَإِنْ مِنْ شَيْءٍ إِلَّا يُسَبِّحُ بِحَمْدِهِ وَلَٰكِنْ لَا تَفْقَهُونَ تَسْبِيحَهُمْ...

The seven heavens and the earth and all that is therein praise Him, and there is not a“ (thing but hymneth his praise; but ye understand not their praise.”(۱

:In relation to the servitude and worship of the creatures, God also says

أَلَمْ تَرَ أَنَّ اللَّهَ يُسَبِّحُ لَهُ مَنْ فِي السَّمَاوَاتِ وَالْأَرْضِ وَالطَّيْرُ صَافَّاتٍ ۖ كُلٌّ قَدْ عَلِمَ صَلَاتَهُ وَتَسْبِيحَهُ ۗ...

Hast thou not seen that Allah, He it is Whom all who are in the heavens and the earth“ praise; and the birds in their flight? Of each He knoweth verily the worship and the (praise.”(۲

Yet, on account of his possession of wisdom and intellect, man has been created free and autonomous. Although God, the Exalted, has showed him the path of guidance and the way of deviation, he is free to choose which path to tread. As what God :Almighty has said

إِنَّا هَدَيْنَاهُ السَّبِيلَ إِمَّا شَاكِرًا وَإِمَّا كَفُورًا

„Lo! We have shown him the way“

(whether he be grateful or disbelieving.”(۳

Nevertheless, he has to take into account the purpose and goal behind his creation. He has to know that he ought to engage in serving and obeying God and that the religious law of God does not permit him to tread the path of obedience to the Satan .and servitude to other than God



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.Surah al-Isra’ ۱۷:۴۴ -۱

.Surah an-Nur ۲۴:۴۱ -۲

.Surah al-Insan (or, ad-Dahr) ۷۶:۳ -۳

Instead, he has to shoulder the servitude and divine responsibility, for God has :created him for such a purpose

وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ

(I created the jinn and humankind only that they might worship Me.”(۱“

Now, in view of the fact that worshipping God is harmonious with the system of creation and universe, shouldering the divine responsibility and performance of one’s responsibility and duty to Him is actually a gesture of gratitude and thankfulness to the Merciful Creator Who endowed us with life and through His grace and favor He granted us with health and innumerable blessings. As God has said through the :(tongue of Hadrat Ibrahim (Prophet Abraham) (‘a

* وَالَّذِى هُوَ يُطْعِمُنِى وَيَسْقِينِ يَهدينِ فَهُوَ خَلَقَنى الَّذى

يُحْيِينِ ثُمَّ يُميتُنى * وَالَّذِى يَشْفينِ فَهُوَ مَرِضْتُ وَإِذَا

He is the Lord of the worlds) Who created me, and He doth guide me, and Who)“ feedeth me and watereth me. And when I sicken, then He healeth me, and Who (causeth me to die, the giveth me life (again).”(۲

How could we refuse to adhere to Him? Is it not far from justice and fairness that we say that the modern man is not subservient to duty and obedience and is in pursuit of his rights? Does Islam accept this logic? Without doubt, such a thinking is devoid of .rationality and far from humanity, let alone having Islamic basis

**Doubt ۸: The demand of the Divine Vicegerency [khilafatullah] means absolute freedom of man**

Sometimes, it can be said that man, according to the description of the Qur'an, is the vicegerent of Allah [khalifatullah] and it means that he



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.Surah adh-Dhariyat ۵۱:۵۶ -۱

.Surah ash-Shu'ara' ۲۶:۷۸-۸۱ -۲

is the representative of God on earth and functions like God. Just as God has created the world, man has to "create" the phenomena, too. Just as God is managing the .universe as He wills, man is in control of the earth and has to act as he likes

**Reply**

The reply to the above doubt is this: The meaning of vicegerency of God must be understood correctly and it must be noted that the title, "vicegerent of Allah" [khalifatullah] given to Hadrat Adam (Prophet Adam) ('a) in the Qur'an(۱) is not pertaining to all the sons of Adam because the Qur'an labels some of his sons as :"devils" [shayatin], stating

وَكَذَلِكَ جَعَلْنَا لِكُلِّ نَبِيٍّ عَدُوًّا شَيَاطِينَ الْإِنْسِ وَالْجِنِّ

Thus have We appointed unto every Prophet an adversary devils of humankind and" (jinn."(۲

Undoubtedly, human devils are neither "vicegerents of Allah" nor included among whom the angels were required to bow down in prostration before them when God :said

وَإِذْ قَالَ رَبُّکَ لِلْمَلَائِکَهِ إِنِّی خَالِقٌ بَشَرًا مِنْ صَلْصَالٍ مِنْ حَمَإٍ مَسْنُونٍ

*فَإِذَا سَوَّیْتُهُ وَنَفَخْتُ فِیهِ مِنْ رُوحِی فَقَعُوا لَهُ سَاجِدِینَ

"And (remember) when thy Lord said unto the angels: Lo! I am creating a mortal out of potter's clay of black mud altered. So, when I have made him and have breathed into him of My spirit, do ye fall down, prostrating yourselves unto him."(۳)

The vicegerent of Allah [khalifatullah] has great qualifications and characteristics, among which are:

(۱) knowledge of the names:

وَعَلَّمَ آدَمَ الْأَسْمَاءَ

"And He taught Adam all the names";(۴)

(۲) the vicegerent of God should



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۱- In this regard, God says: "And when thy Lord said unto the angels: Lo! I am about to place a viceroy in the earth, they said: wilt Thou place therein one who will do harm therein and will shed blood, while we, we hymn Thy praise and sanctify Thee? He said: Surely I know that which ye know not." (Surah al-Baqarah ۲:۳۰)

۲- Surah al-An'am ۶:۱۱۲.

۳- Surah al-Hijr ۱۵:۲۸-۲۹.

۴- Surah al-Baqarah ۲:۳۱.

have the competence to implement justice on earth.

So, the wicked man who commits carnage on earth, feels no inhibition in perpetrating any sort of crime, and does not observe justice cannot be the viceroy of God. Is God iniquitous in that his envoy is also iniquitous? The vicegerent of Allah is he who manifests divine attributes in both his private and social life, and not just any two-footed beings.

Therefore, those who are endeavoring to misguide the people and topple down the Islamic government, apart from being not the noblest creatures, are exactly the same devils [shayatin] from among mankind whom God regards as more abject than the animals and concerning whom He says:

( إِنَّ شَرَّ الدَّوابِّ عِنْدَ اللهِ الصُّمُّ الْبُكْمُ الَّذينَ لايَعْقِلُونَ )

"Lo! The worst of beasts in Allah's sight are the deaf, the dumb, who have no sense."(1)

The statement that the nobility of man lies on freedom and any thing that sets limit on freedom is condemnable and rejected is a deceptive slogan that has been brought up in the Western world, and in other countries also some have also accepted it without taking into account its ramifications, and they regularly stand on this proposition.

What is meant by saying that man must be absolutely free and should have no limitation whatsoever? Does it mean that there should be no mandatory law? No rational person will ever accept it because it implies that everyone is free to do whatever he likes.

Everyone is free to commit murder, to



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1- ۸:۲۲ Surah al-Anfal.

encroach upon the chastity of people, and create disorder in the society!

Without doubt, the first harm and defect of such thinking will be inflicted upon its proponents. Is it possible at all to live in a society wherein such a freedom has taken root? As such, there is certainly no unlimited freedom and man is not free to do whatever he likes at any time.

After it became clear that freedom is limited and conditional, this question comes to the fore: Who is the one that determines the scope and limitation of freedom? And

?where are the bounds and limits of freedom

If every person is supposed to determine the extent, limit and boundary of freedom for himself, the result will be this: everyone will do whatever he likes, and it will experience the problem related to the absolute freedom. So, having no good option, to refer to a law must be considered in describing and determining the scope, limit .and boundary of freedom

In this case, if a person accepts that God exists Who knows better what is good and bad for man than what he himself knows, that no benefit from the life of human beings will reach Him, and that He only wishes for the good of His Servants, is there ?anybody for him who is more deserving to determine the limit of freedom

Thus, there is no contradiction in the intellectual and belief system of Muslims because they believe in God Who knows best what

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is good and bad for human beings and what will cause them felicity, and He, too, has .announced the limit and boundary of freedom

If we did not believe in God, however, or assuming to have belief in monotheism we did not recognize God as the Authority in determining the limit and boundary of freedom, we would be inflicted with thousands of mischief, for never would all the .people arrive at a unanimous view and opinion

Now, even if there were a majority and it embarked on determining the limits of freedom, how could the minority that does not accept the limits of freedom determined by the majority get its rights? Thus, though freedom is a beautiful and attractive term, it is not absolute and unlimited, and no one can have an absolute .freedom

**Doubt ۹: Creating ambiguity in defining the legitimate freedom**

In reply to the above statement, it can possibly be said that we do not say to have

.absolute freedom. Our point is that there should be legitimate freedoms

**Reply**

We ask this question: What do you mean by "legitimate"? Do you mean it a thing that the religious law accepts? In language, there are two meanings for the word "legitimate." The first meaning is that which the religion has permitted. If what you mean is this one, then it is the same with what we are talking about, for we are saying .that freedoms must be within a framework that has been allowed by the religion

The other meaning of "legitimate" is that which is legal. According to this



meaning also, in the Islamic Republic of Iran, as what the Constitution stipulates, the .law must be concordant with Islam

Our Constitution monolithically shows that all rulings and laws must be consistent with Islam, and essentially, the philosophy behind the existence of the jurist-members of the Guardianship Council,(۱) as per the Constitution, is to study the bills that the Islamic Consultative Assembly (the Iranian Parliament or Majlis) has approved so as .to determine whether they are consistent with Islam or not

Assuming that all the people and deputies in the Majlis (with the exception of the deputies of religious minorities whose rights are also reserved) are all Muslims, religious and committed. Nonetheless, sometimes it is also possible that they would .be complacent and approve a thing that is inconsistent with Islam

According to the Constitution, the bills of the Majlis should be examined in the Guardianship Council whether they are consistent with Islam or otherwise. The jurist-members of the Guardianship Council confirm the Islamic nature of the Majlis bills while the lawyers of the Guardianship Council confirm their compatibility with the .Constitution

If our Constitution does not regard it necessary (to check) the Islamic nature of the

laws, what then is the philosophy behind the existence of the Guardianship Council? What for are all these emphases on the sovereignty of Islam and the absolute ?Guardianship of the Jurist that have been laid down in the articles of the Constitution

Then, one should not be surprised if there are those who introduced themselves



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۱ – To guard the laws of Islam and the Constitution against contradictions of the approvals of the Majlis, a council named Guardianship Council is set up in the Islamic Republic of Iran. It is composed of six just and learned jurists and six lawyers in various branches of the law (Art. ۹۱ of the Constitution). They will be appointed for a period of six years (Art. ۹۲). The Islamic Consultative Assembly has no legal validity without the Guardianship Council (Art. ۹۳). All bills approved by the Majlis shall be forwarded to the said Council for confirmation and to check them for compatibility [.with the Islamic tenets and the constitutional law (Art. ۹۴). [Trans

as legal experts would say: "Since the Constitution states that freedom should be !"respected, no religion and no law has the right to set limits on those freedoms

Which one that the Constitution states: to have legitimate, or illegitimate freedoms? Do you yourselves say legitimate freedoms? What do you mean by "legitimate freedoms"? If the word "legitimate" [mashru‘] is taken from "religion or religious law" [shar‘], i.e. freedoms that the religion [shar‘] confirms, and by "legitimate" [mashru‘] it means "legal", then according to the Constitution, the freedoms that the religion and .the law would confirm are the "legitimate" freedoms

**Doubt ۱۰: Observance of the religious precepts is against the demand of the sovereignty of man over his own destiny**

There are those who say that based upon the Constitution, the human beings must be the sovereign over their own destiny. But then if they were compelled to observe .religion only, they would no longer be the sovereign over their destiny

**Reply**

Has our Constitution highlighted this point only? Has it not been stipulated in the same Constitution that sovereignty emanates from God, the Exalted? Does the same Constitution not state that the laws to be implemented in the country must be Islamic laws? Do these subjects not extant in the Constitution, and has it stipulated only this ?principle that the people must be the master over their own destiny

Perhaps, it can be said that these two principles of the Constitution are contradictory, and it needs interpretation and solution. Yet, if we try to examine closely, we will .understand the meaning of these two principles

When in the

p: ۱۲۳

first principle it states that sovereignty emanates from God and then it states that the people are the master over their own destiny, it means that under the auspices of the .sovereignty of God, the people are the master over their own destiny

Thus, those who are excluded from the Islamic society and people of this country have no right to impose their idea, predilection, religion, and law on us. That is, America has no right to impose its law on us. It is these people who would approve (their own desired law and the people have voted for the Constitution.(۱

Some would perhaps say: "We do not accept the meaning of constitution the way you ".are defining it

In reply, it must be said: If there were any ambiguity existing in the Constitution, its .interpreter is the Guardianship Council

If you do not accept this Constitution, you can see that it does not give you the authority to interpret it and it has determined itself the solution for contradictions and .removal of doubts

If you believe in this Constitution, then you have to ask for its interpretation from the Guardianship Council. It is the Guardianship Council that is the guardian of Islam and

the Constitution, and it has been consisted of Muslim jurists whose duty is the .preservation and vouchsafing of the Islamic laws

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In the referendum on the Islamic Republic shortly after the victory of the Islamic -۱ Revolution on February ۱۱, ۱۹۷۹, the Iranian people unanimously declared their final and firm decision to bring about a new political order, an Islamic Republic, by a ۹۸.۲٪ [.majority vote. [Trans

## About center

In the name of Allah

هَلْيَسْتَوِيالَّذِينَيَعْلَمُونَوَالَّذِينَلَايَعْلَمُونَ

?Are those who know equal to those who do not know

al-Zumar: ۹

:Introduction

Ghaemiyeh Computer Research Institute of Isfahan, from ۲۰۰۷, under the authority of Ayatollah Haj SayyedHasanFaqihImami (God blesses his soul), by sincere and daily efforts of university and seminary elites and sophisticated groups began its activities .in religious, cultural and scientific fields

:Manifesto

Ghaemiyeh Computer Research Institute of Isfahan in order to facilitate and accelerate the accessibility of researchers to the books and tools of research, in the field of Islamic science, and regarding the multiplicity and dispersion of active centers in this field

and numerous and inaccessible sources by a mere scientific intention and far from any kind of social, political, tribal and personal prejudices and currents, based on performing a project in the shape of (management of produced and published works from all Shia centers) tries to provide a rich and free collection of books and research

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:Our Goals are

(propagating the culture and teachings of Thaqalayn (Quran and Ahlulbayt p.b.u.t-

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.It's obvious that all the responsibilities are due to the author

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Holding virtual educational courses for the public-

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:Appreciation

We would appreciate the centers, institutes, publications, authors and all honorable friends who contributed their help and data to us to reach the holy goal we follow.

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